

Injured Worker, Though Not Working, May Not Be Entitled to Compensation

A worker who is injured on the job is entitled to weekly compensation for his injuries if he is prevented from performing his work as a result of his injuries. He is not entitled to such benefits, even if partially disabled from his injuries, if the reason for his unemployment is not related to his accident. Often, this ruling comes as a surprise to the worker who has been previously injured but is now employed. For this reason, a further explanation as to the effects of this law will be set forth here. The explanation will deal with the most common types of situations, namely:

1. The injured worker who is laid off from employment after returning to work.
2. The injured worker who is laid off from employment while he is still away from work due to his injuries.
3. The worker who takes his retirement after he has come back to work from an injury but while he is still partially disabled.
4. The worker who takes his retirement while he is still away from work due to an injury.

1. The injured worker who returns to work after an absence due to his injury and who is then laid off because he has been reached for normal lay-off and not because of his injuries is not entitled to compensation benefits even though he may be partially disabled from his injuries. To receive benefits after his lay-off, he must show that his attempts to find employment were prevented as a direct result of his disability. He must show that some job or jobs were available to him which, but for his injury or the handicap resulting from such injury, he would have been able to take. It is not enough for him to claim that he hesitated to take a certain job which offered itself due to the fact that he was afraid he would not be able to perform the work. Instead he must show that he was turned down for the proposed job BECAUSE of his handicap or that on doctor's orders he had to refuse the work.

2. The worker who is laid off while he is still away from work due to his injuries usually is receiving weekly benefits while he is not working and is entitled to continue to receive these benefits if he is laid off while still away from work. As a matter of actual practice, however, such a worker does not learn of his lay-off until he is partially recovered from his injury and is ready to go back to work at which time he is advised by his foreman that he had been reached for lay-off during his absence. In these circumstances, a worker should apply immediately for unemployment insurance benefits. On the other hand, owing to the fact that he will probably not be suitable for any type of work due to his disability, his compensation benefits will continue.

3. The worker who takes his pension after he has returned to work and AFTER he has demonstrated, by his return to work, that he is able to work, will not be entitled to compensation benefits even though it is agreed that he is still partially disabled from a previous injury. For such a worker to receive compensation benefits after his retirement (and while he is getting his pension) he must show that his need to retire was connected with his injuries — that is to say, that his disability forced him to retire — or that after retirement he was unable to find suitable, available work, due to his disability. If the retirement was voluntary and his unemployment had nothing to do with his disability he is not entitled to compensation benefits even though unemployed and despite his disability.

4. The worker who retires while he is still unable to return to his job due to an injury is usually entitled to continued compensation benefits even though he may now also be getting his pension as in these instances the usual reason for taking a pension is directly connected with a worker's inability to return to work due to his injuries. Here, too, however, if the company can show that the decision by the worker to take his retirement had nothing to do with his injuries, the injured worker will not be able to draw compensation benefits in addition to his pension.

Sylvania Strike Fund

For the past sixteen (16) weeks one of our sister Locals has been on strike against the Sylvania Corporation.

Local 511, IUE-AFL-CIO in Buffalo, New York, is determined that they will not capitulate to a corporation who is trying to destroy the seniority provisions of their agreement.

The Company in its meetings with Local 511's Bargaining Committee has issued many threats in its efforts to achieve the ends they seek. One of the most vicious was that they would move their plant from Buffalo.

In spite of the fact that this may become a reality, the membership of Local 511 is determined that they will not give up the one thing that all of us in the labor movement hold so sacredly; seniority!

There are many members of Local 511 who are not eligible for unemployment benefits. Some of these members are faced with the threat of losing their homes unless they can make some payment on their mortgages.

The strike assistance Local 511 is receiving is not enough to take care of the many welfare cases they have.

We feel sure that Local 301 members will, when approached by their shop steward, donate as generously and as freely as they have done in the past.

LM&G Holds Meeting — Bldgs. 52-60-66

A meeting of the Shop Stewards and Executive Board Members of the Welded Products Section of the LM&G Department was held at Union headquarters.

Grievances were discussed and a committee was approved to meet with the management in an effort to resolve some current grievances. The issues involved were as follows:

1. Welders who are transferred from their jobs due to lack of work should be given opportunity to return when an opening occurs, in line with their seniority.
2. Assemblers were called back to their former jobs with shorter service than an Assembler with longer service, whom the Union representatives claim was a qualified operator.
3. Foreman was not recognizing a Local Agreement on a price for metal to metal welding.
4. Operators on Rim Punching Machine were not receiving the proper rate for the job.

The committee selected to meet with management is composed of: Jim Cognition, William Mastriani, Pat Donato, Henry DiCaterino and the Business Agent.

Current Events In My Section

by Allen E. Townsend

Docket #9097-58 filed recently by Board Member Kaminski in behalf of a Crane Operator with 30 years service protested the issuing of an unwarranted warning notice to this man. In this case the foreman issued the warning notice because the operator allegedly operated the crane in an unsafe manner due to the fact the crane hook caught in some machinery. At the time this warning notice was issued, the foreman after talking to the shop steward tore up the initial warning notice after agreeing that the crane operator was not to blame. Later that day evidently after conferring with his superiors the foreman reissued the warning notice. At a Step Two meeting in Bldg. 41, the Union pointed out that this man was operating two cranes on the floor and that the controls on these cranes are exactly in reverse to each other. It was also pointed out that the crane has

no foot brake. In addition to this, they informed the Company that these unsafe factors had been pointed out to the Company many times at safety meetings, and nothing had been done to correct them. The fact that the man had to operate two cranes whose controls were the exact reverse of each other is what caused the accident. In a situation like this it is very easy to push the crane lever in the wrong direction. The Company after hearing our side of the argument remained adamant and refused to remove the warning notice. The Company, however, agreed to correct the unsafe condition on the crane thereby tacitly admitting that we were right in our contention that these unsafe conditions caused the accident. We feel the Company deserves a large bouquet of onions for their stand on this case.

IS YOUR DEPT 100% UNION?

LOCAL 301 NEWS

IUE AFL-CIO

Vol. 4 — No. 41

The Voice of GE Workers, Local 301, Schenectady, N. Y.

November 14, 1958

NOTICE COMBINED Membership & Stewards Meeting

Monday, Nov. 17, 1958

2nd shift—1:00 p.m.

1st & 3rd—7:30 p.m.
shifts

Union Auditorium
121 Erie Blvd.

AGENDA

Nomination of Officers
Election of Election Committee
Report of Committees
Regular Order of Business

Salaried Workers Are Worried

In the November 7th issue of the G.E. Schenectady News, salaried employees showed some concern with the method used in the non-bargaining group for decreasing of forces.

One salaried employee claimed that many employees with only one and two years of service are working while employees with up to 15 years service are being laid off. The management says that service is only one factor for considering those to be laid off; availability of jobs, experience and ability are other factors. The factor that is missing, which the salaried worker and the management did not mention and which is most important, is the contract that provides rules and recognition of seniority rights to protect the laid-off worker.

The salaried employee is affected in the same manner as the hourly rated employee when it comes to the question of wage rates, upgrading to higher rated jobs and layoff with proper bumps on related work. Salaried employees in Schenectady have been reluctant to join a Union in the past. The hourly rated employees who have been organized for over 20 years have offered assistance many times but the salaried employees have not seen the need for a Union. The offer by the hourly rated employees to assist the salaried workers in organizing their own Union still stands; however, the salaried employees must be willing to try to help themselves at the same time.

A short answer to the complaints raised by the salaried employees in the G.E. News "Grapevine" and a solution to their complaints could very well be:

ORGANIZE A UNION

However, that kind of advice will not be forthcoming from the management.



NOTICE Power Stations Bldgs. 13-61-259-265 Meeting

Friday, Nov. 21st, 1958
7:30 p.m.

UNION HEADQUARTERS
121 Erie Blvd.

SUBJECT: NLRB Petition

Citizens Emergency Employment Committee

The Citizens Committee for emergency work met last week for the second time to consider ways and means of obtaining work for Schenectady. Attendance of the committee members was good with nearly all of the original group represented.

Several proposed resolutions were discussed, two of which were endorsed. One called for the start of several construction jobs whereby appropriations have been made. This would provide some work which falls within the AFL Building Trades jurisdiction. The other resolution called for the citizens of Schenectady to make suggestions on ways and means of obtaining work in the community. It is quite obvious that the only substantial relief to provide jobs is to obtain Government work in the form of prime contracts. There are only two major companies in Schenectady that are equipped to do prime contract work — General Electric Company and American Locomotive. Both of these major concerns because of their decentralization policy are only interested in work falling within the present products category. Members of the Citizens Committee have been urging both concerns to consider altering their policies during this emergency and considering Government work that may not be related to the present production.

Shambo further stated that he was glad to see the unemployed workers get together and try to help themselves; however, he said that before we organize a committee to bring new industry to Schenectady, we should organize a committee to keep what we already have here now.

Mr. Hershkovitz of the Chamber of Commerce spoke, stressing the need for everyone to publicize Schenectady as a good place to do business. He was reminded by Shambo that Local 301 has always said Schenectady is a good place to do business, and Mr. Hershkovitz was further reminded that it was G.E. and the Chamber of Commerce that had said the climate in Schenectady was not satisfactory for industrial expansion and they had blamed the Union for this. At this point, Mr. Hershkovitz said he believed in Unions and collec-

Unemployed Workers Meet

A meeting of unemployed workers was called by Joseph Pokorny, an unemployed G.E. worker. This meeting took place on November 6th, at the Pleasant Valley School.

This meeting was attended by our Vice-President, John Shambo, so that our Union might become familiar with the purpose of the meeting. After listening to some of the proposals, Shambo spoke and asked the group not to take any action which would turn the clock back in regards to the many gains made by organized labor in Schenectady in the past 20 years. He made it very clear that the problems of the unemployed workers were also the problems of our Union. It was pointed out that the very purpose of our 8 Point Program was to give some security to G.E. workers and thus halt mass layoffs.

Shambo said he hoped that this wasn't some plan between the Chamber of Commerce and a few leaders of the unemployed workers to take advantage of the bad economic conditions in Schenectady and use the skills of our unemployed workers to make a fast profit for some "fly-by-night" concern.

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IUE-CIO LOCAL 301 NEWS

OFFICIAL ORGAN OF LOCAL 301,
REPRESENTING SCHENECTADY
GE WORKERS

Published by the Editorial Committee
President.....Harry Williams
Vice-President.....John Shambo
Treasurer.....Gerald O'Brien
Recording Secretary.....Larry Gubo
Ass't Recording Secretary.....Michael Rakvica
Chief Shop Steward.....Vincent Diloranzo
Business Agent.....Leo Jandroski
121 ERIE BLVD. SCHENECTADY, N. Y.



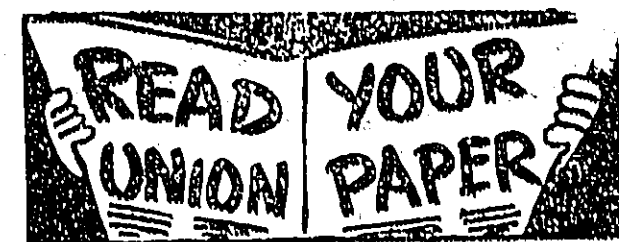
Workers Under 65 and Disabled Face Serious Social Security Problems

When the laws were changed a couple of years ago making it possible for a disabled worker, who reached the age of 50, to apply for Social Security benefits it was taken for granted that disabled workers were going to get some long-needed relief from insecurity. Now that the law has been put to the test, however, experience shows that most disabled workers are not going to get their benefits under Social Security. The reason for this is that the Social Security authorities have set such a rigid standard as to what they mean by "disability" as to disqualify almost any worker who can still stand on his feet.

A worker who is sufficiently disabled to be granted a disability pension by the General Electric Company is not necessarily sufficiently disabled to get his Disability Social Security, too. Workers who do not realize what difficulties they face in getting disability Social Security are sometimes influenced into taking a disability pension from the Company with the expectation that, even though they are not yet 65 years of age, this pension will be augmented by their Social Security. Most of these workers are doomed to disappointment. Any worker who plans to take a disability pension from the Company but who is also making this decision based upon the hopes of getting Social Security benefits as well, would be well advised first to check with the Social Security office or with the union's lawyer as to the chances of getting Social Security. These workers should not take their advice from other sources, including fellow-workers or even foremen, no matter how well-intentioned the advice.

The union's lawyer is now in the process of litigating several cases where individuals not only were getting disability pensions but were also considered to be totally disabled by the Workmen's Compensation Board yet where the Social Security office ruled that they were not sufficiently disabled to be entitled to Social Security benefits.

Members of this local should remember that with respect to any type of worker's benefit, whether compensation, social security or unemployment benefits, the union's lawyer should be consulted, preferably before any step is taken by the worker which may hurt his chances to get such benefits.



LOOK FOR THE UNION LABEL

**LOCAL 301
PARTY NITES
EVERY TUESDAY
7:00 p.m.
UNION AUDITORIUM**

IN WASHINGTON, D. C., a member of the American Newspaper Guild AFL-CIO reported to his paper that at least one government official had come up with an explanation of the screwball behavior of the stock market while 5,000,000 and 6,000,000 workers were unemployed. The GOP official said that the skyrocketing stockmarket values recalled the tale of the man who bragged that he'd sold his dog for \$25,000. A disbelieving friend demanded to know whether he'd received cash. "No," was the reply, "just two \$12,500 cats."

Output and Jobs

A recent Christian Science Monitor dispatch quoted a steel industry executive as saying that higher production in the industry won't mean more jobs for steelworkers.

The same dispatch described a new automatic seamless pipe-mill of U. S. Steel at Lorain, Ohio, which "produces four times as much as an older mill of the same type—and with scarcely half the personnel." Developments of this kind give emphasis to the Steelworkers' recently enunciated collective bargaining program for 1959. Output per man-hour is zooming and unless increased productivity brings higher wages, shorter hours and other gains, serious joblessness will remain at the core of American industry.

The Steelworkers Union has verified the situation with its own unemployment survey. This survey showed that between October 1956 and February 1958, employment in the industry dropped 212,000 while the job loss in basic steel alone was 114,000.

In the last week of this past February, steel production totaled 1,475 million tons, or 54.6 percent of capacity. In the last week of August, production was up 1.7 million tons, or 63.5 percent of capacity. During this same period, employment in basic steel dropped by another 10,000 jobs despite the 16.3 percent production rise.

NPA Asks Better Job Opportunity

The nation's economic recovery will not be complete until there are jobs for disadvantaged groups, the National Planning Association declared in a recent statement on "Improving Opportunities for Employment of the Disadvantaged."

NPA's list of the disadvantaged includes nonwhites, religious and nationality groups, older persons, the inadequately trained, women and persons with unfortunate past records, as well as the physically handicapped. These groups, the NPA pointed out, are the first to suffer from economic setback, and the last to recover.

The organization — which includes representatives of business, labor, agriculture and the professions—called for abandonment of discriminatory policies by employers, firm action by employee groups in behalf of the disadvantaged, improved government programs to erase discrimination, special training for the handicapped as well as education for others needing it, and improved research on the problem.

Current Events In My Section

by ALLEN E. TOWNSEND

Docket #9022-58 filed recently in the Knolls Dept. by Steward Prymas under Board Member Vilano complained about a chauffeur from the non-bargaining unit in the plant filling a bargaining unit chauffeur's job at the Knolls. In this particular case the Company also stated that this job would no longer be in our bargaining unit but would become a salary job in the future. At a second step meeting it was brought out that this man had formerly been in our bargaining unit and had rights to go on this job. The labor relation representative at Knolls also agreed that this job would be left in the bargaining unit. This is a fine example of alertness by our Union which prevented the Company from removing this job from our jurisdiction.

Docket #8945-58 filed by Steward Selke under Board Member Hildroth requested a one step increase for a man working on maintenance and air conditioning work in Bldg. 269. The reason given was that he was doing work that required more skill and knowledge than was called for in his classification. After an initial step two meeting with Messrs. Mastria, Rakvica, Hildreth and Selke negotiating for the Union, the Company agreed that we had proved our case and granted an immediate one step increase for this man. This will result in many more dollars per year in his take home pay.

Layoffs are continuing at a very rapid pace with no relief in sight. With the planned layoff coming up shortly in the Steam Turbine Department coupled with a lack of work situation in the rest of the plant, the future looks pretty gloomy.

McNamara Advocates Federal Aid for State Public Welfare

DETROIT (PAI)—Senator Pat McNamara, Michigan Democrat, is planning a "Federal-State partnership program" because of the crushing burden on many states for public assistance.

He will propose legislation in the 86th Congress to amend the Social Security law. It would be almost identical with existing programs for Federal aid to the blind, disabled and dependent children.

"I do not envision a Federal dole," McNamara emphasized. "But recessions are a national problem, and remedies should come in part from the Federal level. Federal-State sharing of welfare costs is becoming a vital necessity."

Will History Repeat?

When Business Gets Into Politics Corruption Has Been The Pattern

WASHINGTON (PAI)—Rich, powerful corporate business, its return to politics set in motion, is stirring up recollections of what happens when business and politics mix.

Spurred on by business groups such as the National Association of Manufacturers and the U. S. Chamber of Commerce, such dominant corporate giants as General Electric, Gulf Oil, Ford Motor Company, General Dynamics and others have announced that they are in politics all the way to work for the "corporate viewpoint."

The 1958 Congressional elections are just an experiment. The target date is 1960.

This might be billed as a return engagement, since business had previous experiences in politics until public demands for curbs on their octopus-like powers forced it to the background from time to time.

One might recall the period after the Civil War. Roger Butterfield in his *The American Past*, says of this period:

"The men who ran the United States from 1865 to 1900 made more money than the world has ever seen. They had little respect for government or public opinion, which they bought and sold as they pleased.

"Law? What do I care about the law? Hain't I got power," cried Commodore Vanderbilt to one of his associates. Vanderbilt bribed legislatures and corrupted courts, engaged in the biggest stock-watering operations of his time. . . ."

Another historian reports that "in thousands of communities local businessmen obtained charters under the National Banking Act of 1864 empowering them to engage in local banking and to issue bank notes upon the security of their government bonds. Railroad promoters, moreover, profited greatly from Congressional generosity in the form of land subsidies and loans for new construction."

Toward the close of the 19th century political bosses in both political parties controlled the office holders. The political bosses, in turn, were run by the giant corporations and wealthy individuals.

Barck & Blake in their *History of the U. S. in Our Times* declared:

"To the boss the businessman made his campaign contributions, to the boss he went when he wanted some law enacted or—as more frequently happened—when he wanted some legislation defeated."

This was the time when businessmen and their political representatives talked about laissez-faire, where government kept its hand off and allowed business to roam freely. All proposals for regulating rates or wages, for fixing minimum hours or for arbitration of labor disputes were opposed as unsound interference with natural economic laws.

On the other hand, businessmen never allowed their laissez-faire principles to stop their efforts for such positive aids as protective tariffs, land grants and subsidies.

A famous cartoon of the day, carried in the popular magazine Puck, was J. W. Kempler's "Bosses of the Senate." Butterfield says this cartoon was an "accurate allegory." It shows the Senate, with its public galleries closed, but with big, fat-bellied men labeled "trusts" dominating the little Senators. There was the steel trust, the copper trust, the Standard Oil trust, and so on.

A sign says "This is a Senate of the Monopolists, by the Monopolists, for the Monopolists."

Some curbs were placed on business activities in politics but following World War I the corporations were back at the same old stand.

During the Harding Administration the Teapot Dome Scandal brought much of it to light but much was being done on a quieter level. During Coolidge's Administration appointments to government departments and agencies entrusted with regulating big business were men who had the greatest vested interest in the industries they were supposed to regulate.

Thomas F. Woodlock, for example, was named to the In-

An Example Of Cynicism

by John Herling

(The following article was published in the Washington Daily News.)

General Electric's labor relations policy is slammed as an "outstanding example of cynicism" by one of Harvard's top professors in the graduate school of business administration, a training school for corporation executives.

GE's "managerial strategy," says Prof. Benjamin M. Selkman in the current Harvard Business Review, "is known as Boulwareism, named after GE's vice president, Lemuel R. Boulware."

Boulwareism is based on these principles, according to Prof. Selkman:

- "Management knows best what should be done for its employees.
- "It should therefore make up its mind prior to any negotiation what should be the maximum offer.
- "It should refuse to recede from or alter this offer in any substantial way.
- "It should take a strike, if necessary, and hold out until the union capitulates."

Prof. Selkman, a leading labor-management arbitrator, criticizes Mr. Boulware for a speech in which he "severely indicted unions (without making any exceptions) for using force instead of persuasion at the bargaining table, for developing a strategy of 'political bargaining' and for 'promoting the something-for-nothing, inflationary, foreign socialist brand of anti-business economics.'"

Mr. Boulware "called on businessmen to rally on the political field to defeat union leaders," Prof. Selkman observes. "He congratulated Arizona businessmen for having been active in the enactment of a right-to-work law and told them that a 'very important factor in GE's decision favoring Arizona over the other contenders for our computer business was the combination of the fact that you do have a right-to-work law and the fact that a growing majority of the citizens are so obviously coming to appreciate and support voluntarism as opposed to compulsion in union membership.'"

"Surely it is unfair to lump all unions under a blanket indictment,"

terstate Commerce Commission even though he made his fortune in railroad stocks. Businessman William E. Humphrey changed the policies of the Federal Trade Commission from regulating business to merely giving advice. Appointments to the Tariff Commission was sympathetic to manufacturers.

Much of this still goes on today in the regulatory bodies, as Congressional probes have discovered.

Not satisfied with this type of influence, powerful as it is, affluent business is openly seeking its old position of enforcing the "corporate viewpoint."

Big Money for Politics

One of the interesting questions that must be decided by the Department of Internal Revenue is whether large corporations can deduct their "Right to Work" contributions from their income taxes.

In the recent campaign in California, large corporations such as G.E., Westinghouse and others made large donations plus considerable advertising for the purpose of trying to get a "Right to Work" law passed. The following was reported as contributions to the California campaign:

G.E.	\$17,763.89
Westinghouse	5,000.00
Heinz Co.	1,000.00
Quaker Oats	1,500.00
Continental Oil.....	1,000.00
Hilton Hotels	2,500.00
Standard Oil	1,000.00
Portland Cement	5,000.00

It Pays To Be A Union Member

Prof. Selkman says. "Corporations have suffered so much from being on the receiving end of that kind of strategy that it is difficult to understand a similar tactic by a spokesman for one of the country's leading companies. Could it be evidence of a latent prejudicial attitude toward trade unions?"

A policy of "containment" toward unions may be a sound one, Prof. Selkman says, "when dealing with a new and undisciplined union, or a communist-dominated one, or one with irresponsible leaders, or if demands are so excessive as to threaten the competitive position of a company.

"However, if the aim is to 'cut a union down to size', to beat union leadership to the punch, then indeed the strategy is tantamount to a Machiavellian use of power to discredit and, if possible, to destroy the union."

