

OFFICIAL RULING:

Worker Refusing Lower Rated Job Entitled To Unemployment Benefits

An important decision handed down by the Appeals Board of the Unemployment Insurance Division clears up a troublesome question with respect to the rights of a worker to unemployment benefits when he refuses a lower rated job upon being bumped.

The case in which a decision was made in the worker's favor was one of a machine repairman, Grade I, (G.E. was not involved in this case) working at a \$2.63 per hour rate. He had worked at this job for one year when he was reached for bumping. He was offered a job as an oiler in Grade V, at \$2.48½ per hour, which he refused to accept on the ground that his severance and vacation pay would have been affected if his job was to terminate while on the lower rated job.

The Appeals Board decided that the worker had a right to refuse the lower-rated job and still receive unemployment benefits. In other words, the worker had good cause for turning down the job offered. This decision upset previous cases which ruled that a worker under similar circumstances could not refuse such a job and be entitled to unemployment benefits.

One of the important principles laid down by this ruling has to do with the question of how much of a loss of pay must there be at the lower-rated job before a worker may be said to be justified in refusing the lower job? Heretofore it was taken for granted that there would have to be a substantial loss in pay before a worker could be said to have good cause for refusing a job. The loss of pay in this case however was only about 6% of the former pay. Ordinarily this would not have been a "substantial" loss and its refusal would have warranted rejecting the worker's claim for benefits.

The Appeals Board's decision moves away from "loss of pay" as the test as to whether an individual is entitled to unemployment benefits. Instead, the Appeals Board turned to other factors which it considered more important.

Thus, for example, the decision holds that the factors weighing in favor of the work entitling him to benefits are:

1. The worker was being offered employment in a lower grade of work.
2. He was being offered work for which he was not fitted by training or experience and acceptance of the lower rated job would affect his vacation pay if he were terminated or bumped out of that job.
3. The worker was doing skilled work at the time he was offered a

**NOTICE
SPECIAL
Executive Board
Meeting
Monday, July 14, 1958
7:30 P.M.
UNION AUDITORIUM
121 Erie Blvd.**

Company Concern For Council Is Touching

We were amazed to read in the local papers Mr. Stevens' choice of words about the Union "packing the council meeting."

When over 30 high General Electric officials go to Albany to lobby the State Legislature on more favorable Unemployment Insurance laws for General Electric, these officials are going to Albany for the benefit of the General Electric workers. When General Electric employees see hundreds of fellow employees leaving the Schenectady Plant each month on a lack of work basis and are concerned with an employment picture that causes a male employee to have longer than 6 years, 10 months of service to hold a common labor job and female employees must have better than 15 years of service to work 40 hours a week, these employees are accused of "packing a council meeting". Our answer is, Mr. Stevens, that every citizen of Schenectady who has the interest of the City at heart should attend council meetings and ask when General Electric is going to stop their runaway shop program and provide their employees with a full year's employment each year and not just during "boom" years?

job which was only semi-skilled.

One of the important aspects of this decision is that an employee who turns down a lower graded, less skilled job than the one he held at the time of bumping cannot be compelled to accept it on the theory that seniority forces a worker to accept a lower graded job on a theoretical union agreement that he must accept down grading or lose his unemployment benefits.

SURPLUS FOOD FOR UNEMPLOYED

The International Union of Electrical, Radio & Machine Workers, AFL-CIO in this area, and its affiliated Locals, desire that all unemployed workers in the Schenectady area be given this vital information.

Unemployed workers and their families are eligible to receive federal surplus food provided they are not receiving public assistance or care.

You are eligible if the combined monthly income of the household is not in excess of:

Number in Household	Monthly Total Income Allowed	Total Liquid Resources Allowed
1	\$120	\$ 360
2	165	495
3	205	615
4	245	735
5	280	840
6	315	945
7	350	1050
8	385	1155
9	420	1260
10	455	1365

For larger households, add \$35 for each person in the household in excess of ten.

Types of available commodities may vary from month to month. Current distributions may include the following items:

Butter	Corn meal	Flour	Pork & Gravy
Cheese	Dry milk	Luncheon Meat	Shortening

It should be noted:

- a. that the applicant must apply in person, or, if unable to appear in person, through a representative authorized in writing to apply for him;
- b. that the applicant must maintain cooking facilities and eat his meals at home;
- c. that the applicant will receive only one order per month;
- d. that he must redeem his order at the designated store within the specified period;
- e. that he may only receive the items and quantities indicated on the order;
- f. that he may forego any items but that he cannot substitute or change;
- g. and that no replacement will be made of any items that may be spoiled.

All persons or households in Schenectady County who are eligible for the federal surplus foods are requested to apply for same at 487 Nott Street, Schenectady, New York.

THIS IS NOT CHARITY — IT IS PAID BY YOUR TAX DOLLARS

IUE-CIO 301

On the Job

Bldg. 12: The group of Mica Tapers under Shop Steward E. Girard feel that they are not being properly compensated for the time lost due to faulty material used on job 629C841.

Bldg. 273: It has always been the practice when a transpose bar operator is working alone, to assign a handyman to help him pull wires. The group under Shop Steward J. Squires feel that by taking another transpose bar operator from his partner and assigning him to work with another transpose bar operator will cause a loss in earnings to the transpose bar operator who has to work alone.

Bldg. 273: The group under Shop Steward J. DiGiorgio feel that the removing of burrs and chips falls into the chip and grind classification. As there is a planned piece price on this work, it should be given to the group for which it has been planned.

Bldg. 72: The group under Shop Steward T. Bizozza charge the foreman with violation of the contract whereby there is total disregard of the longer service employees while at the same time the Company is continuously preaching that they take care of the longer service people because they have a moral obligation to them. The foreman did not feel that way and when an opening occurred, he failed to offer the job to long service employees.

IUE-CIO LOCAL 301 NEWS

OFFICIAL ORGAN OF LOCAL 301,
REPRESENTING SCHENECTADY
GE WORKERS

Published by the Editorial Committee

Vice President.....John Shambo
Treasurer.....Gerald O'Brien
Recording Secretary.....Larry Gebo
Asst. Recording Secretary.....Michael Rakvica
Chief Shop Steward.....Vincent DiLorenzo

121 ERIE BLVD. SCHENECTADY, N. Y.

LOCAL 301 NEWS

IUE AFL-CIO

Vol. 4 — No. 35 The Voice of GE Workers, Local 301, Schenectady, N. Y. August 8, 1958

Action for Employment Security

The following is a letter from Mayor Stratton and the Resolution he introduced to the City Council followed by a letter from the Business Agent:

CITY OF SCHENECTADY
NEW YORK
Office of the Mayor

July 15, 1958

Dear John:
In line with your request, I am enclosing a copy of the resolution which I submitted to the City Council at its meeting last night, and which failed by a single vote to be adopted by the Council.

As you know, Dr. Frank P. Marra and Dr. Fred Isabella joined with me in supporting this resolution.

I am happy to have been able to present this to the Council and I feel that the support which we received represents a moral victory even if a clearcut majority was not available. The action of the Council certainly points up very sharply the honest concern which responsible leaders of the community feel for the future of the city's economic life. I feel certain that this non-partisan expression of concern will go far in helping to meet our need for more jobs and greater employment security in Schenectady.

Please give my best regards to all of the members of your Local, and particularly those who took the trouble to be on hand for our meeting last evening.

With all best wishes,

Sincerely yours,
SAM STRATTON.

enclosure
Mr. John Shambo, Acting Business Agent
International Union of Electrical Workers
Local 301, AFL-CIO
121 Erie Boulevard
Schenectady, N. Y.

RESOLUTION

"Mayor Stratton offered the following:

WHEREAS, The City of Schenectady has been especially hard hit in the past several years as a result of the current economic recession and the transfer of jobs out of Schenectady, and is now officially classified by the United States government as an area of major unemployment; and

WHEREAS, The loss of thousands of jobs in Schenectady has brought hardship to the merchants of Schenectady, has increased the local welfare case load, has hit hundreds of families, has jeopardized the city's urban redevelopment program, and has resulted in a drastic decline in the city's taxable property; and

WHEREAS, The people of Schenectady are now eagerly seeking out every plan or program which might possibly contribute in any way to an increase in job stability within Schenectady; and therefore eagerly welcome any and all suggestions directed to this end, whether made by management or labor or from other sources; and

WHEREAS, The International Union of Electrical Workers, AFL-CIO, has recently developed a program of recommendations nationwide for the electrical industry, which is intended to promote economic stability and reduce the tendency to transfer work or job opportunities out of such established industrial centers as Schenectady; and

WHEREAS, The present critical state of Schenectady's economic health makes any such proposal directed toward increased job stability and the reduction of unemployment of vital and transcendent concern to the governmental leaders and the people of Schenectady; Now therefore be it

RESOLVED, That the City Council of the City of Schenectady, while adhering firmly to its belief that it cannot and should not properly inter-

(Continued on Page 2)

Resolution by the Board of Supervisors

While the Board of Supervisors did not endorse our 8 point Employment Security Program, they did, however, note the recession and unemployment in Schenectady and they urged that all enterprises located in Schenectady strive to maintain a top level of employment.

Peter Pisano, who is the Supervisor of the 9th Ward and also an active Shop Steward in our Union, was very instrumental in getting the Board of Supervisors to take any action at all.

The following is the resolution adopted by the Board of Supervisors:

RESOLUTION — 109 MANAGEMENT — LABOR UNION RELATIONS STATEMENT OF POLICY

Supervisor Osbonlighter offered and moved the adoption of the following resolution; seconded by Supervisor Rogowicz:

WHEREAS, In view of the present business recession and unemployment conditions now prevalent in Schenectady County, the Schenectady County Board of Supervisors deems it appropriate to urge representatives of industry and labor located in Schenectady County to assume a broad and intelligent outlook on any differences that may arise within the framework of contractual agreements; and

WHEREAS, We believe that all industrial enterprises located in Schenectady County should energetically strive to maintain a top level of employment; and

WHEREAS, We believe that all present facilities should be kept expanded and maintained in Schenectady County, and that no work which can be efficiently performed in the county should be farmed out elsewhere, except during emergencies; and

WHEREAS, We recognize the established right of labor and management to settle disputes and grievances through collective bargaining procedures; and

WHEREAS, We further believe that labor has the right to negotiate for wages, seniority rights and other improvements that will promote the dignity and raise the living standards of working men and women; now therefore be it

RESOLVED, That in the interest of civic unity and the peaceful settlement of all management - labor differences, this board extend to representatives of both groups an invitation to use the facilities of the board of supervisors at any time they feel a real contribution can be made to amicable employer - employee relationships.

STATE OF NEW YORK,
County of Schenectady, } ss.:
Office, Board of Supervisors

I have compared the preceding copy with the original resolution adopted by the Board of Supervisors of Schenectady County at a meeting held July 8, 1958, on file in this office, and I do HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original.

WITNESS my hand and the seal of the Board of Supervisors, at the City of Schenectady, this 9th day of July, One Thousand Nine Hundred and Fifty-eight.

WILLIAM M. LEONARD,
Clerk, Board of Supervisors.

**Support
C.O.P.E.**

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

Action for Employment Security

(Continued from Page 1)

ject itself into any collective bargaining negotiations that may in the future be under way in the electrical industry between labor and management, notes with favor the proposals and program put forward by the International Union of Electrical Workers, AFL-CIO for the purpose of promoting job stability and reducing unemployment in industrial centers of the electrical industry like Schenectady, and commends the Union for the broad, constructive objectives behind these proposals; and he it further

RESOLVED, That the Council expresses its hope and belief that it may be possible in the near future for labor and management, working together in harmony and mutual respect, to find common agreements in taking steps in the direction of objectives such as those set forth in the Union proposals, with a view to helping to meet the threat of the current economic decline and restoring jobs and prosperity to Schenectady as well as to other industrial centers across the country."

July 16, 1958

The Hon. Samuel S. Stratton, Mayor
City of Schenectady
Schenectady, New York

Dear Mayor Stratton:

As Business Agent of Local 301 representing 12,000 employees at the GE plant in Schenectady, I have been instructed by a unanimous vote of our Executive Board to write to you expressing our heartfelt and sincere thanks for introducing the resolution favoring our 8 point employment security program.

I would also like to thank you for the very favorable comments you made in voting for it. I'm sure that our members will remember your forthright and courageous stand on this issue and that your foresight in this matter may help to wake up others in Schenectady before it's too late.

We certainly cannot afford another 12,000 jobs moving out of Schenectady in the next four years.

With warmest personal regards, I remain,

Sincerely yours,

JOHN SHAMBO, Business Agent.

National Convention

The IUE, AFL-CIO will hold its annual convention September 22-26, 1958, in Philadelphia. At the last membership meeting, the following members were elected to represent Local 301 at the convention:

Leo Jandreau—Conference Board
John Shambo—Union Office
William Kelly—1st Shift
Joseph Alois—2nd Shift
Frank Cornicelli—3rd Shift.

VACATION RATE:

Due to the number of transfers and changes in rates in the Schenectady Plant, this will perhaps answer some of the questions which will arise. For vacation purposes this is the method by which the rate of vacation pay is estimated:

"Whichever is greater"—current rate or year end rate (average earning rate obtained from last periodic average earning report in the year preceding). The above has nothing to do with number of hours to be paid—it applies only to the rate of pay.

Notice

Any Class A Toolmaker with 1949 or more service who was downgraded or forced to leave his trade should contact the Union Hall.

Any Class B Toolmaker with 1947 or more service, who was forced to leave the trade and take a downgrade should also contact the Union Hall.

Attend Your Union Meetings Regularly

NOTICE REGULAR Executive Board Meeting

Monday, August 11, 1958
7:30 P.M.
UNION AUDITORIUM
121 Erie Blvd.

Businessman Backs Union Shop

John I. Snyder, president of U. S. Industries—a company with over 8,000 employees that manufactures oil well equipment, steel pipe and power machinery—told the IUD union shop conference that he was "firmly opposed to any so-called 'right to work' law" and believed "the union shop has become a necessity."

"A businessman may be a practical idealist," the industrialist declared, "but when he puts his 'John Hancock' on a union contract, he has to know what he is signing himself into. Otherwise he will lose both his business and his ideals."

Snyder said businessmen want two major points when they sign a contract. He called these the need for a stable and cooperative group of people in the plants and the observance of the spirit as well as the letter of the contract "with regard to attendance, workmanship and production standards."

He said that business also wants to see grievances settled fairly and promptly, without "festering" for weeks and months and wants to avoid dealing with grievances that are "politically promoted."

"We want to see our men buckle down to work without getting tangled up in petty factional and jurisdictional disputes. And we don't want 'quickie strikes,' 'wildcats' and slowdowns. . . ."

"All of these things can happen. I ought to know. We used to meet such conditions at some of our plants, and that was the primary reason we signed union shop agreements."

"I can say from first-hand experience, that production quickly snapped back to normal once the men enjoyed reasonable job and union security. Internal animosities died down. Rival organizational activity took a breather. All things considered, my company has been well served by a sensible, human and profit-conscious approach to helping provide job and union security."

The U. S. Industries president declared that "American workers by the millions have cast their lot with organized labor rather than continuing a lost and lone position in what was an unequal struggle with economically powerful employers."

"Once we accept in principle this historical verdict on bargaining," he explained, "we can begin to contract for labor as we contract for capital and management. With such a concept the union shop becomes a straight-forward business proposition."

Double Standards

G.E. apparently has one standard for measuring their own actions and another for measuring the actions of our Union.

When there is a strike or a work stoppage, G.E. issues letters to the employees and the community; they have paid ads in the local papers and even go on radio and television to inform everyone how unreasonable the Union is and above all how many thousands of dollars the employees and the community are losing by the action of the Union.

However, we hear none of this warm concern for the employees when G.E. notifies us that six of the departments will close down Friday, August 22nd, or Friday September 26th, for inventory. This inventory is usually done on a Saturday without any loss to the employees. However, this year G.E. arbitrarily says we will have to lose a day's pay, but they won't go to the community and tell them that this will mean many thousands of dollars lost to the employees and the community. I guess it depends on "Who's at bat!"

NOTICE COMBINED Membership & Stewards Meeting

MONDAY, AUG. 18, 1958

2nd Shift—1:00 p.m.
1st and 3rd Shifts—7:30 p.m.

Union Auditorium
121 Erie Blvd.

AGENDA

Discussion of coming
Negotiations
Reports of Committees
Regular Order of Business

SMALL People

THE JET
FIGURES
HE IS
SLATED TO
GO PLACES
IN THE COMPANY
IT'S SMART
POLITICS TO BE
ANTI-UNION.

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Pressure in 'Work' Drive Hit

Cincinnati — United Organized Labor of Ohio has backed up its charge that many persons circulating so-called "right-to-work" petitions do so because they are intimidated by top management.

The UOLO made public the results of a survey in Cincinnati of the occupations of 750 persons circulating petitions to put a "work" amendment to the Ohio constitution on the November ballot. The survey showed that 60 percent of the circulators are on the management level.

"Out of the 750-person sample," the UOLO said, "we discovered 43 company presidents, a chairman of the board, 40 vice presidents and 31 secretary-treasurers."

More than a third of the 750 circulators were supplied by just eight companies "all with long records of resisting unionism," the united labor committee set up to oppose the adoption of "work" legislation in Ohio declared.

Management Sets Tone

"Clearly, top management sets the tone, and the people down below hop to it," UOLO said. "Where top management is taking the lead, we often found most of the middle management people, the foremen and the engineers, circulating petitions also, possibly out of fear of their jobs or to protect their chances for advancement."

The group pointed out that the largest bloc of circulators, 160, came from middle management, "where the big boss can watch your every move, and where you have no union to protect you."

White collar workers made up only 9 percent of the total and blue collar workers comprised even less—8.5 percent.

"The survey results should throw into a cocked hat any notion that the 'right-to-work' is a people's movement," UOLO spokesmen said. "We have reason to believe that the Cincinnati pattern is repeated in other communities. At least in Cincinnati, the 'right-to-work' boils down to a disguised assault by anti-labor managements on the whole labor movement."

The eight corporations, which UOLO found are supplying 272, or 36 percent, of the 750 petition circulators were named and described as follows: Andrew Jergens, "basically unorganized"; American Laundry Co., "largely unorganized"; Cincinnati Milling Machine, "company unions"; Formica, "organized"; General Electric, "several unions"; LeBlond Tool, "company union"; Proctor & Gamble, "basically unorganized"; and American Tool Works, "basically unorganized."

No Compensation Benefits Despite Industrial Injuries If Loss in Wages Is Caused by Other Factors

When a worker has been injured in an industrial accident and has a permanent physical disability from the accident, he is not entitled to compensation benefits for his handicap when not working unless his lack of work is caused by his disability. Such was the ruling of a high state court in a case involving a Schenectady General Electric worker who had returned to work after he was permanently injured but who was retired thereafter when he reached age 65.

In 1944, William Roberts worked as an armature winder in Building 52. He fell off a ladder injuring his back severely. He was totally disabled for about 4 months after which he returned to lighter work. In 1947 he was declared to be permanently disabled with a partial disability and his case was closed as he was not losing pay at his job despite his injuries. Later in 1953, Roberts began having trouble with his back and started losing time from work. Compensation was awarded to him for the pay loss which he suffered.

On October 1, 1954 Roberts reached the age of 65 and was retired on pension by the Company. Roberts tried to find some work, but was unsuccessful. The union's lawyer reopened the case for the purpose of getting compensation benefits for Roberts following the date of his retirement.

The medical evidence in the case showed that Roberts was physically qualified despite his injuries to do the work which he was doing at the time of his retirement. The question was whether Roberts was entitled to benefits after his retirement.

When Roberts testified as to his efforts to find employment after his retirement he stated that he was "looking around for a job" but that it was "pretty hard to get anything suitable." When asked why he could not get jobs that he had applied for his answer inferred that his injuries did not play a part in his rejection for these jobs as he stated that the places where he applied for work "did

The UOLO charges came as Colorado labor spokesmen pointed out that supervisory employees of the Denver Heiland division of Minneapolis-Honeywell, who know they can be fired if they refuse to follow instructions by management, began circulating compulsory open-shop amendment petitions among employees. Heiland is managed by Stephen Keller, chairman of the newly formed Denver Right-to-Work Committee.

not need help."

The Court which reviewed Roberts' claim for compensation benefits felt that Roberts was not entitled to these benefits as his unemployment was not caused by his bad back. The Court said:

"There is nothing in the record to indicate that claimant's reduced earning capacity or lack of employment, following his retirement, was due to his disability."

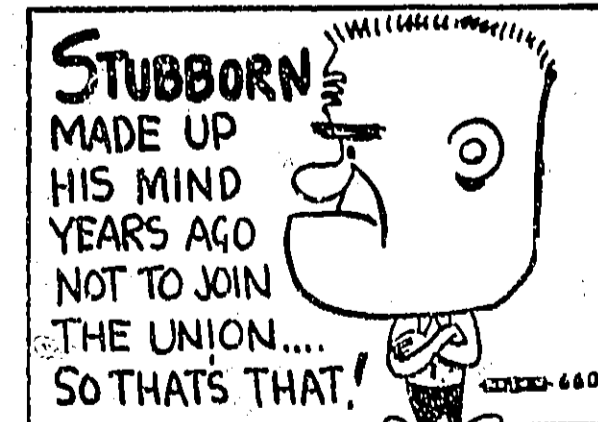
Then the Court made its ruling as follows:

"Where the cessation of employment is apparently due solely to compulsory retirement on a pension because of age, and other causes unrelated to disability from an industrial accident, to pay compensation benefits would result in a situation where employees would obtain retirement benefits supplementing, as in this case, their pension and social security payments, without the employee being compelled to show casual connection between the disability and the inability to find work. Such would not seem to be the intent of the Workmen's Compensation Law."

The Court's decision makes it clear that an injured worker can get compensation benefits if there is a "casual connection" between his disability and loss of earnings. Roberts will still be eligible to obtain such benefits if he can show such a casual connection.



SMALL People



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IUE-CIO LOCAL 301 NEWS

OFFICIAL ORGAN OF LOCAL 301,
REPRESENTING SCHENECTADY
GE WORKERS

Published by the Editorial Committee

Vice President.....John Shambo
Treasurer.....Gerald O'Brien
Recording Secretary.....Larry Cato
At-Large Secretary.....Michael Rakovic
Chief Shop Steward.....Vincent DiLorenzo
121 ERIE BLVD. SCHENECTADY, N. Y.

Is It Fair?

G.E. is asking people if it is fair for IUE leaders to ask people for a strike vote now before members know what they will be called out on strike for.

It might be well to remind G.E. that if the people have to strike, it will be because the Company refuses to give them Employment Security and not because Jim Carey or any other IUE leader wants a strike for the sake of striking. All G.E. has to do to prevent a strike is to give our members some assurance that they won't wake up some morning to hear that their department is moving to Shelbyville, Ind., Roanoke, Virginia or Jonesboro, Arkansas, without even the opportunity to move with their job or severance pay to help them get started again. Therefore, if G.E. is really interested in preventing a labor dispute, all they have to do is put the IUE 8 Point Employment Security Program into effect or come up with something better and when we say better, we don't mean another slogan, such as "Operation Upturn".

G.E. says it's not fair to ask people for a strike vote this early. What G.E. is really saying is that our negotiating committee should meet with the Company, without proof that the members of our Union are behind the 8 Point Program. The Company knows the people are behind our program and the people know too that the time to fight for Employment Security is while you still have a job and not after they have joined the 12,000 people who have lost their jobs in the Schenectady plant in the past five years.

The Company says if we vote "yes" on a strike issue, it will mean a long and costly strike. On the other hand, if we vote "no", will G.E. give us Employment Security or will they continue to move out of Schenectady?

By G.E. standards it would appear that if a Union official tells people who are on strike to return to their jobs, he is a leader, but if when he is going into negotiations and he asks for a strike vote, he is a Dictator. This Local always has and always will give all the members an opportunity to vote for or against a strike.

Some of the members of our Union have seen fit to express their opinions in the G.E. Works News and whether or not the leaders of this Union agree with their statements, there will be no reprisals. This is proof of the democracy with which this Union is run. We wonder what would happen to a G.E. supervisor who publicly agreed with our 8 Point Program? Incidentally, many foremen have privately voiced their approval of it. We wonder, too, if G.E. policy is decided by a secret ballot of all stockholders?

It Pays To Be A
Union Member