

# Court Hearings Explained To Injured Workers

After a claim is filed by an injured worker for compensation benefits, the Workmen's Compensation Board in Albany makes up a file for each case and sets up a procedure which finally brings the case to a hearing before a referee.

If the injury is a minor injury requiring some medical treatment and even if the worker has lost some time from work, no hearing will be scheduled for him if there are medical reports that the worker has fully recovered from the accident and that he has no permanent injury. In such instances the worker receives a notice from the Board on which is printed a statement that he does not have to appear at the hearing which is scheduled for that case. This notice briefly recites the type of injury he has had; whether he has lost any time from work; and the fact that there is "no permanency" or in other words that he has fully recovered. The notice goes on to say that the case will be closed at the hearing scheduled. Of course, the statement that he is fully recovered may not be an accurate one. If the worker feels that he has not fully recovered, the union's lawyer writes to the worker's doctor asking him for a report as to the worker's condition. If the doctor reports that the worker has, in fact, recovered, no protest is made to the closing of the case. On the other hand, if the doctor reports that the worker still needs treatment, the Board is informed of this and the case remains open until treatment can be discontinued.

In cases of more serious injuries or where the doctor's report that the worker may have permanent effects from the injury, hearings are held for a different purpose. At these hearings, the injured worker's claim for benefits is submitted to the referee for an "award" to the injured worker. The "award" can be in terms of weekly benefits for lost time or reduced earnings but it can also be for other claims such as that the worker needs continued treatment or that he is entitled to a sum of money, even if he has lost no time from work, because of a permanent injury to some part of his body.

At a hearing, the referee expects the injured worker, or his lawyer, to state what claim he is making. He then expects the employer, or his lawyer, to state whether they are objecting to the claim. If there are objections to the claim a trial must be held so that the referee can hear both sides and listen to their proof. He then makes his decision after all the evidence is completed. The types of issues which are usually brought to trial will be discussed in another

article. What happens in other cases, where no objections are raised will also be covered. In any event, because many cases present difficult and complicated legal problems, the union's lawyer is present at these hearings to protect the injured worker's rights both for the present and the future.

## We Award a Bouquet of Scallions

Once again the Union finds itself in the position of having to do business with a "ninety day wonder" who doesn't have the necessary factory training to properly handle his job or, for that matter, even do what is morally correct for the workers under his jurisdiction.

This has happened many times in the past and when the condition was brought to the attention of our workers, either the workers or the management corrected the situation.

Under the supposition that perhaps top management will correct the condition in Bldg. 81, under foreman Schultz, we are once again bringing to light the facts. These facts show the results of having to work for a foreman who doesn't understand the fundamental problems of the average worker. You be the judge and jury and decide what is right and what is wrong.

1—This foreman refused to accept into his area, last summer, an assembler with more than 16½ years assembly experience even though his own records showed that in the assembly group he worked his assemblers an average of 53 overtime hours per week for the three month period of July, August and September. Also, he had working for him in this period, in violation of our Local Supplement, an assembler with much shorter service. IS THIS FAIR?

2—Another shining example of this foreman's actions is the fact that while our people are going through a drastic lack of work situation in this plant, he has the gall to work his group a total of 1,934 overtime hours in a period of 3 months, which is an average of approximately 129 hours per week, or more than enough to give three more workers a job. IS THIS FAIR?

3—To add insult to injury, here is his crowning achievement. He issued a "lack of work" to a 1951 service boring mill operator, and a 1942 service assembler about October 1st, and during the same

# Pricing Trouble in SAC Motor

By Bill Christman

We feel that management should take a look at the prevailing conditions in the Small A.C. Generator Department, especially Bldgs. 81 and 89, and see if the GE's slogan: "We do what's right voluntarily by our employees" applies in that case. We're very sure that the workers in this department don't feel that this is true and they have many reasons for such thinking on their part.

Here we find a product formerly done in Bldgs. 18, 40B and 40, known as tri/clad 44 motors, being transferred to Bldgs. 81 and 89, and under a new design called tri/clad 55 motors, but the catch is—the management in this department hasn't as yet been able to settle ONE grievance that pertained to pieceworkers making their earnings on the new designed motors. All this, after the management in these buildings have had up to a year to work on a solution to these grievances.

At the present time, there are several grievances under discussion with management on the 1st and 2nd levels, all of which concern pieceworkers not being able to accept prices offered because they would suffer a drastic reduction in earnings if they did accept the values and time standards being offered. A few such examples are: the Packers' case in Bldg. 81 under Foreman Schultz; also in this area is the attempt by this foreman to put the assembly of set motors on a daywork set-up which

week worked his group a total of 225 overtime hours, which on a regular 40 hour work week schedule would give another 5 workers jobs, plus a very important pay check. WOULD YOU CALL THIS FAIR?

4—Since issuing this lack of work to the workers mentioned in item 3, he has worked his group the following overtime hours in this weekly breakdown:

10-13-57 — 130 overtime hours  
10-20-57 — 153½ overtime hours  
10-27-57 — 132½ overtime hours  
10-3-57 — 176½ overtime hours

It doesn't take much of a mathematician to figure out that this four week total of 592½ hours represents enough work to give more than 3 workers a much needed 40 hour pay, each week. AGAIN WE SAY — IS THIS FAIR?

There are the facts, and we are asking the workers in the plant to be the jury and tell management once again that they do not intend now, or at any time in the future, to be obliged to work under this type of supervision.

is now and has for a long period of time been on a piecework basis; another example in Bldg. 81 are the grievances on rotor turning and rotor balancing which have been under discussion for many months and where the operators (both with 17 years of service and background on this work) stand to lose a minimum of \$1.00 per hour if they accept the prices which have been offered. As for Bldg. 89, there is the shaft turning grievance which has been under discussion for many months and which is still far from being settled.

There are many other cases of this nature in these buildings, but the fact still remains that the record shows there isn't an effort being made by management in these buildings to do "what's right" for these workers.

The only case that has been settled in this department was the Bldg. 81 Test case, and only then after the workers had been obliged to strike to get back a reduction of their job rate on Test work on the Western Electric Set Motors.

Under these circumstances, the workers in this department and their Union representatives, as well as the Union office, feel that such incompetent management not only do not know what they are doing but in effect are trying to rewrite our contract and destroy the workers' rights and standard of living. We believe that such conditions and practices by any management can only lead to labor trouble in the future.

## Union Membership On Increase

There were 189 national and international unions with a total membership of 18,477,190. Of these 16,904,328 were affiliated with the AFL-CIO and 1,572,862 were unaffiliated. The 1956 figures showed a "sizeable increase over 1955 for the AFL-CIO and a further, although slight, shrinkage for the independents." Since then the Brotherhood of Railroad Trainmen with about 200,000 members has affiliated with the AFL-CIO.

## Union's Sidewalk on Erie Blvd. Repaired

At a cost of \$750.00, the sidewalk on Erie Boulevard along the union property was repaired after a low bidder was chosen by the Building Committee and the contract approved by the Executive Board. Before it was repaved, the sidewalk was broken in many places with the result that the insurance company which issued liability insurance to the union required the repairing to avoid accidents.

# LOCAL 301 NEWS

IUE AFL-CIO

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December 6, 1957

## Election Dates Set by Committee

The Election Committee that will conduct the 1958 elections of Shop Stewards and Executive Board Members have elected Pat Lombardi as Chairman of the Committee and John Steslow as Co-Chairman. Miles Moon was elected Secretary of the Election Committee.

The Committee has set Monday, December 9th, and Tuesday, December 10th, as the dates for holding the annual election of Shop Stewards, which will take place in the plant. The election of Executive Board Members will be held on Thursday, December 19th, at Union Headquarters. Each Board Member and his respective Shop Stewards will be notified by the Election Committee as to the scheduled time of the day their election will take place.

Eligibility affecting candidates for Shop Stewards requires them to be a member of IUE Local 301 in good standing for at least one year. Stewards will be elected by secret ballot by members of the Union in good standing in their respective groups.

Eligibility for candidates to the Executive Board requires them to be a Shop Steward, having a total experience as a Steward of at least six months.

Proxies or substitute stewards will not be permitted to cast votes. The Election Committee members who were elected at the November Membership Meeting are as follows:

NAME	BLDG.
John Steslow	273
Ben Sharmose	49
James Wilson	Knolls
Robert Murphy	273
Charles Greenburg	285
James Curran	60
Larry Wilkins	16
John Gozdziowski	16
Joseph Korszun	Knolls
John Natonski	269
Miles Moon	50
Henry Esposito	285
Pat Lombardi	273
Sal Maetta	60
Gerald Condon	273
Carmen Trifilo	52
Manuel Alvarez	96
Luther Rasch	52
Jerry Lumia	56
Henry Caputo	273
Roy Cannice	60
Robert Anderson	16
Robert Bieling	49
Nickolas Fioriti	85

## Local 301 Christmas Party

The Activities Committee is making final arrangements for the Annual Children's Christmas Party which will be held on Saturday, December 21st, and Sunday, December 22nd, 1957.

The Shop Stewards have the Christmas Party lists which must be filled out and returned to the Union office by Friday, December 6, 1957. Any members who have not signed for their children's tickets should contact their Shop Stewards immediately.

Roy V. Schaffer, Chairman, Activities Committee.

## Local 301 Party Nite

The Activities Committee has set Tuesday, January 7, 1958 as the date for the first Local 301 "Party Nite."

"Party Nites" will be held weekly thereafter. Entertainment and games will be featured. Proceeds from these "Party Nites" will be used for Local 301 activities and to help pay for the new auditorium in which these parties will be held.

Roy V. Schaffer, Chairman, Activities Committee.

## 800 Scheduled for Layoff

The Officers of Local 301 and the representatives of management have discussed the employment status of the Schenectady G.E. plant and the application of the Seniority Supplement. Management has notified the Union that approximately 800 employees will be laid off from the bargaining unit by March 15th, 1958.

The Company further notified the Union that the opportunities for employees with less than 7/1/51 service would be extremely limited on skilled jobs. The management said the only ones remaining after March 15, 1958, with 7/1/51 service or less will be working on jobs for which no suitable replacements are available. They said that in view of these factors, employees with less than 7/1/51 services who are affected by lack of work will be offered only unskilled jobs with a rate of R-12 (\$1.84) or below, where the learning time will not be an important factor. They said that according to their current judgment, the employment situation will become stabilized around April 1, 1958.

The Union notified management that this proposal was not satisfactory and the matter should be discussed further. A special meeting was arranged between the officers and management. The officers offered several proposals which, in their opinion, would help to resolve some of the current problems on placement. The proposals were as follows:

1. A Union representative in Bldg. 1, in order that Union members would receive the fullest consideration under the contract.
2. The privilege for a Union Placement Representative to investigate certain jobs where the department has said the employee does not qualify.
3. Company open Welding School to train long service employees on welding to replace short service employees.

On the above the management turned down the proposals, giving miscellaneous reasons why they could not accept them.

4. The Company should give more information on the transfer list, specifically the occupations the employees are coming from. (Management says they will consider this request.)
5. The Officers protested the farming-out of work, particularly during a reduction in employment period. (Management said they were in the process of making a survey on farm-outs and would have something to report on this matter later.)
6. The Officers complained about delays in getting answers from Bldg. 41, saying the management should put on more help on their Placement Committee. (Management said this proposal could not be considered immediately, but possibly after the first of next year it could be.)

Management claimed the bumping of one person affected the moving of three employees on the average; therefore, the placing of 800 employees would involve a movement of approximately 2,400 employees. They said it would be difficult to find suitable replacements on the following jobs (Day Work):

Occupation	Employed	Number Expected Employed 3/15/58
Crane Operator Class A & B	65	45
Crane Follower	55	35
Trade Helpers	99	89
Testers	64	44
Assembly	28	18
Welders	111	86
Bldg. Tradesmen	34	29

(Continued on Page 4)



# GE's Outlook: Nationwide

Beat the Community Drums—predicting a strike in 1958; and blame IUE International President James Carey, as the instigator who is deliberately planning to strike GE for the sole purpose of personal satisfaction—this is the theme song of General Electric in its Community News Letters to the public.

They carefully include in their "blame the Union campaign", the Local Union officials, for their "me too" attitude, by hooking the local Union management disagreements, arising out of the grievance procedure, as part of the Union's overall plan to create trouble for General Electric. The General Electric knows very well the power of a well organized publicity program, and they have the financial means to constantly bring before the Public through Television, Radio, Press and tons of printed material, delivered regularly to the citizens of our Community, their slanted point of view. They also are aware of the value of distorting the facts, by taking words out of context and avoiding the basic positions and issues between the Union and the Company. To talk about this would force them from their lofty perch and their "Holier than Thou" attitude when presenting their pious position to the public. Let us take, for example, the 1958 Contract Negotiations, which will deal with employment security.

The Union and the Company signed an Agreement in 1955, that provided, in Article 28, "If no agreement is reached thereon by Oct. 1, 1958, the Union and its Locals shall have the right to strike over such proposals"—The issue is a very important one to all GE workers, particularly in places such as Schenectady, where people are being laid off, as the result of jobs transferred from Schenectady, under the Company's Decentralization Program. The Union, through Pres. Carey, requested several months ago that we start meeting on the question of employment security, and explore the problems, if any, and take all the time necessary to fully discuss the question and attempt to reach an Agreement.

The Company's answer to this was that 30 days prior to October 1, 1958, will be time enough to meet. That answer does not indicate an interest to avoid labor trouble. The Company's propaganda is directed at individuals, and leaders in the Labor Movement. Singling out Reuther of Auto, Carey of Electrical, and McDonald of Steel. They refer to Employment Security as an issue of competition between the labor leaders for personal prestige. The fact is that Supplementary Unemployment Insurance benefits are already in effect in the Auto, Steel, Rubber and many other major industries, where thousands of workers are protected and will receive

additional unemployment benefits, if they are laid off, as provided in the Union Agreements in those industries. Certainly, the workers who are covered by these Union Agreements applaud the achievements of their respective leaders. But more than that, they are receiving necessary and important benefits which help them and their families, at least temporarily, until they can find other employment. Furthermore, this helps to soften the economic blow to the Community by providing additional purchasing power. So one can see that the issue is whether the employees of GE are entitled to the same Unemployment Insurance protection as thousands of other workers in the country. GE Management avoids that issue by refusing to start early discussions on the matter with the Union, but GE spends unlimited time and money propagandizing the Public that if there is a strike in 1958 on this question, the blame rests on the Union and its leaders.

GE is not content to sit back and do nothing until 30 days prior to October 1, 1958.

They are also constantly engaged in a propaganda war on the Labor Movement by direct attack in publications such as "Let's Talk Shop". This publication is mailed to thousands of business and professional citizens in our Community. In the November 18, 1957 issue they charged the International President and Local Union leaders with fomenting a strike for 1958. Using more subtle methods, Mr. Philip Reed, Chairman of the GE Board of Directors, told a meeting of the Public Relations Society of America, that industry should restrain pay increases in 1958, and a 30 hour week would produce inflation almost immediately. He advised this advertising group to start a campaign against both of these economic issues.

Mr. Reed conveniently forgot to mention in his talk some of the problems and issues that have a bearing on the two points he so vigorously discussed. For example:

- 1)—There are approximately 100,000 unemployed workers in the electrical industry.
- 2)—A 36 hour week in our industry would provide jobs for all these people.
- 3)—The General Electric's production program is expressed by GE Vice-President Vinson when he calls for doubling General Electric's share of the Gross National

# Court Trials in Compensation Cases Explained

The right of an employer to object to the paying of a claim for compensation is limited by law to cases where he can show a legitimate reason for objecting to the claim. Where such an objection is raised it is called a "controversy" and the case itself is earmarked by the Workmen's Compensation Board as a "controverted case." The procedures which are followed in such cases are uniform.

At the very first hearing, in a controverted case, the employer must state for the record what is the basis for his objections to payment. Anyone of the following, or a combination of them can be given as a basis for objections:

1. If the injured worker claims injuries from an "accident," the employer has the right to prove that no accident took place.
2. If the injured worker claims that he is disabled not from an "accident" but because of the nature of the work that he was performing, in other words, that he is suffering from an occupational disease, the employer has the right to challenge the claim that the nature of the work could have resulted in an occupational disease.
3. The employer has the right to challenge compensation on the ground that the worker failed to give timely notice of the accident or disease and therefore lost his rights to make any claim even if the accident took place or the disease came from the work.
4. The employer has the right to challenge the relationship

Product between the years 1953-1963, which means doubling production. Mr. Vinson also points out that the employment of workers will not be anywhere in proportion to the increased production. The Engineering Outlook, as reported in one of the publications of GE, and not for public consumption, sums up the future employment outlook fairly well: "This chart indicates that if we can increase the productivity of our workers by 100% in the next 10 year period (1953-1963), we will not need to increase our labor force over the present level."

- 4)—Other major industries have reduced the work week without major difficulties.
- 5)—Mr. Reed uses the example of 40 hours to 30 hours to illustrate a rise in labor cost. However, he offers no consideration for a more modified approach in the reduction of hour, which, in our opinion, places him in a position of opposing any reduction in hours.

of a worker's physical disability to the particular accident claimed. Where this objection is raised by an employer, usually it takes the form of an admission that the worker does in fact have the disability claimed by him but this disability arose from other and private sources and not from a work-connected incident.

5. The employer can raise a further objection that the claim should be thrown out because it was not filed in the time limit prescribed by law.

These are the more usual objections raised by the Company where they are controverting a claim, but whether they are raising some of the objections or all of them it all leads to the same objective—namely that the union's lawyer in representing the injured worker must prepare the case for trial.

At the hearing where the Company raises its objections to payment both the employer and the Company are asked to name the witnesses, whom they propose to produce to prove, its side of the controversy. Once these witnesses are named, a date is then picked for the trial and the case is adjourned for that date.

Examples of what happens at such a trial, for each type of objection raised by the Company, will follow in future articles.

Mr. Reed's opposition to the 30 hour week reminds us of the same fears and protest voiced by industrialists all over the country when the work week was reduced from 48 to 40 hours.

**NOTICE**

**MEMBERSHIP Meeting**

**Monday, Dec. 16, 1957**

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

**Union Auditorium**  
**121 Erie Blvd.**

**Regular Order of Business**  
**Report of Committees**

# Jandreau Speaks to Young People's Group on Community Responsibility

Addressing a meeting of the Young People's Group of the Eastern Parkway Methodist Church, Leo Jandreau said the program of Organized Labor is designed to provide economic security and a progressively higher standard of living, through adequate wages and good working conditions and protection during periods of illness and old age. He further stated that Labor feels this is a necessary program for working people and their families. It is a program that benefits our Community and other Communities throughout the country. We feel it is a program of responsibility affecting our own economic way of life.

The Union Business Agent deplored the quarter page ad of the GE, featuring a question asked by County Commissioner of Welfare, Leo Vosburg—"Is employment in Schenectady GE up or down since decentralization?" Mr. Crawford replied in the ad:—"Employment is up since decentralization."

Why use tailor-made examples to justify a wrong-doing? Why misrepresent the facts to cover up a GE program that is doing harm to our Community, Jandreau said. Mr. Crawford used 1949-50 as his base to justify his statement that current employment was slightly higher at present than the period conveniently picked. Jandreau pointed out that 1954-55 would give a better picture of a peace time base. It would make a difference in Schenectady of nearly 5000 jobs in the factory alone. It is hard to follow some of the public statements made by GE officials from time to time, in their effort to cover up the real reason why employment is gradually getting smaller at the Schenectady GE plant.

Giving some examples, the Business Agent referred to the Cordner alibi of lack of cultural facilities in Schenectady. Other Company Representatives indicated the labor supply, transportation and housing were not adequate to meet the needs of a large plant. Mr. Vinson, a vice-president of the GE said at a meeting held in Schenectady during 1954: "55% of

# IUE Wins G.E. Elections

Two more General Electric plants join the ranks of IUE as the result of N.L.R.B. elections held last week—one plant located in Roanoke, Virginia, and the other in Jonesboro, Arkansas. One of the significant points in these two victories is the fact that they are new G.E. plants and are located in the South. The results of the elections were as follows:

<b>Roanoke, Virginia</b>	
IUE .....	676 votes
No Union .....	369 votes
IBEW .....	15 votes
<b>Jonesboro, Arkansas</b>	
IUE .....	183 votes
No union .....	113 votes

In both plants the management of General Electric put on a "No Union" campaign, but their anti-union propaganda was not accepted by the majority of the eligible voters. Both plants are new and are in the process of expansion.

# Carey Reports IUD Assets Serve as Resources for All Members

IUD Secretary-Treasurer James B. Carey told delegates to the Department's Second Constitutional Convention that the Department had total liquid assets of \$3,084,733.88, as of September 30, 1957.

In submitting an oral financial report to the convention, Carey pointed out that a detailed financial analysis was included in the President's Report and that a supplemental report had also been distributed to all delegates.

Carey spoke with pride of the "lusty account" built up by the Department. He said that "these are the funds and the resources of all the members of the IUD."

The Department Secretary-Treasurer stressed the fact that the IUD is the third largest labor entity in the entire world. He said that only the AFL-CIO, itself, and the British Trade Union Congress have larger memberships.

Carey declared that the IUD's resources have made it possible for the Department to contribute \$147,000 to worthy organizations, both inside and outside the labor movement. He said that affiliates have received financial aid for organizing purposes and strike assistance.

He also pointed out that the report showed that the Department aided the Indiana State Industrial Union Council in its "valiant and critically important struggle against right-to-work legislation."

"I have no doubt," he added, "that should a similar situation and need arise in some other state, or in that state, the IUD will again contribute, because this issue is vital not only to industrial unions, but to all unions."

Carey spoke of other contribu-

tions made by the IUD and specifically referred to the aid given to the ICFTU "Solidarity Fund" which helped the Hungarian freedom fighters following their revolt in 1956.

He declared that this contribution, along with financial aid given to needy organizations in this country "may be considered at least in part as fringe benefits growing out of the very healthy situation represented by this financial report."

The Secretary-Treasurer also discussed the many conferences and meetings held by the Department since its inception. He stated that all of the IUD's undertakings were made possible "because of the continued financial growth and the Department's expanding capacity to meet its ever-growing and new responsibilities."

In concluding his report, Carey thanked all of the Department's affiliates for contributing "proportionately and indispensably to the magnificent organization which we have constructed here within the larger house of labor."

"When we speak of the larger house of labor," he added, "we contributed as the IUD to the economic strengthening of the AFL-CIO, and we contributed—in that way—to the cause of working men and women everywhere in the world and to the human dignity and democratic brotherhood that we will inevitably establish."

**IUE's OWN**

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**NOTICE**

**Executive Board Meeting**

**Monday, Dec. 9, 1957**

**7:30 P.M.**

**UNION HEADQUARTERS**

**121 Erie Blvd.**

**IUE-CIO LOCAL 301 NEWS**

OFFICIAL ORGAN OF LOCAL 301,  
REPRESENTING SCHENECTADY  
GE WORKERS

Published by the Editorial Committee

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