

THE LEGAL CORNER

(A Column Written by Leon Novak of Novak & Diamond, Attorneys)

Length of Time During Which Injured Workers Receive Compensation Benefits

The Workmen's Compensation Law provides weekly compensation benefits to be paid to an injured worker for as long as his injuries have eliminated or reduced the injured worker's earnings.

An injured worker who is away from his work temporarily, as a result of an accident, receives weekly benefits for the length of time that he is unable to work because of his injuries. If he is totally disabled from work, he receives the maximum amount due him under the law. If he is partially disabled, he receives partial compensation. The maximum compensation which any worker can receive for present-day injuries is \$36.00 weekly. Of course, at G.E., for the first 26 weeks of unemployment, the injured worker also receives Disability Benefits but in such instances he receives only the difference between what he gets from compensation and the maximum that he is entitled to under the Plan.

Workers who are permanently disabled from injuries resulting from their work can receive weekly compensation benefits for the balance of their lives, if they are not working. They receive these benefits although they may be on pension from the Company or on Social Security or both.

There have been numerous compensation claims filed by union members in which we have succeeded in obtaining weekly compensation benefits for the injured worker for the balance of the worker's life, even after retirement. Two of these cases can be given as examples.

Demetrio Dascola, Building 16, injured his back and arm on May 12, 1950. He returned to work on November 13, 1950. For a time he worked at lower earnings but then was able to resume work at full pay and then even at pay higher than what he earned before his accident. Dascola was left, however, with a permanent disability to his back. On September 1, 1953, Dascola reached retirement age. He looked for work but could not find a job. His compensation case was re-opened and after a few hearings he was awarded compensation from the date of his retirement for the balance of his life. Dascola now receives a pension, Social Security and weekly compensation benefits.

Another example is the case of William Roberts, Building 273. Roberts injured his back in a fall from a ladder in Building 52 on December 30, 1944. He lost about 16 weeks from work. Upon his return to work he was compelled to take a lighter job because of the condition of his back but he did not have to take a cut in wages. He lost a few days from work, now and then. Roberts had a permanent disability to his back. On October 1, 1954, about seven years after the accident, Roberts reached retirement age. We put in a claim in his behalf for weekly compensation benefits from the date of his retirement. On November 21, 1955, an award was made to him for such benefits from the date of his retirement and for the balance of his life. He will receive these benefits in addition to pension and Social Security.

Although the Workmen's Compensation Law affords protection to industrially injured employees, it is necessary that such workers have expert legal representation to insure that they get the maximum benefits the law allows.

LOCAL 301 IUE - CIO SPECIAL CALLED MEMBERSHIP MEETING

MONDAY, DECEMBER 12, 1955 —
2nd Shift—1:00 p.m. (Before Work)
1st and 3rd Shifts—7:30 p.m.

KRUEGER'S HALL
Liberty and South Ferry Streets

Westinghouse Strike Support
Regular Order of Business
Report of Committees

EXECUTIVE BOARD LOCAL 301 IUE-CIO

We Learn the Hard Way -- Sometimes

(Continued from Page 3)

The Turbine department agreed that the issues filed in the complaint had been resolved satisfactorily and advised the Erectors to call off their protest activity, pointing out the victory they had won, with full employment until next Spring and former Erectors reemployed in the bargain.

However, through the advice of a couple of people who are not only blessed with Verbal Diarrhea, but in one case is not even a member of the Union, and in another an individual with a political axe to grind, casting his affections first to UE and second to the IAM, and not being able to sell either, he blats through his beard doing his best to confuse the minds of his co-workers.

The Erectors refused to accept the settlement, affecting the question of lack of work.

They were led by the advice of those who have refused to join the Union, or disgruntled would be leaders, who advised them to keep bulging their muscles, and switch from a question of full employment to a wage increase demand and other issues.

This advice was along the following:

1. Demand an increase from 2.48 to 3.75!
2. Nobody but Erectors can come into group (Seniority out!)
3. Let's set up an Erectors Association (Why a union?)

This fantastic advice got the Erectors nowhere.

At present the management has threatened to ship some machines without Test. If this happens, the Erectors would have less work than the already low production schedule they are working on for the next four months. It does not require the wisdom of a Supreme Court Justice to decide on accepting your gains when the opportunity presents itself, and continue to discuss any new issues in an ethical, sane and orderly fashion, on their merits.

Moreover, it is pretty costly when we accept the advice of those who have not straightened out in their own minds, where they themselves are going. This method is what you might call Learning the Hard Way.

LOCAL 301 NEWS

IUE CIO

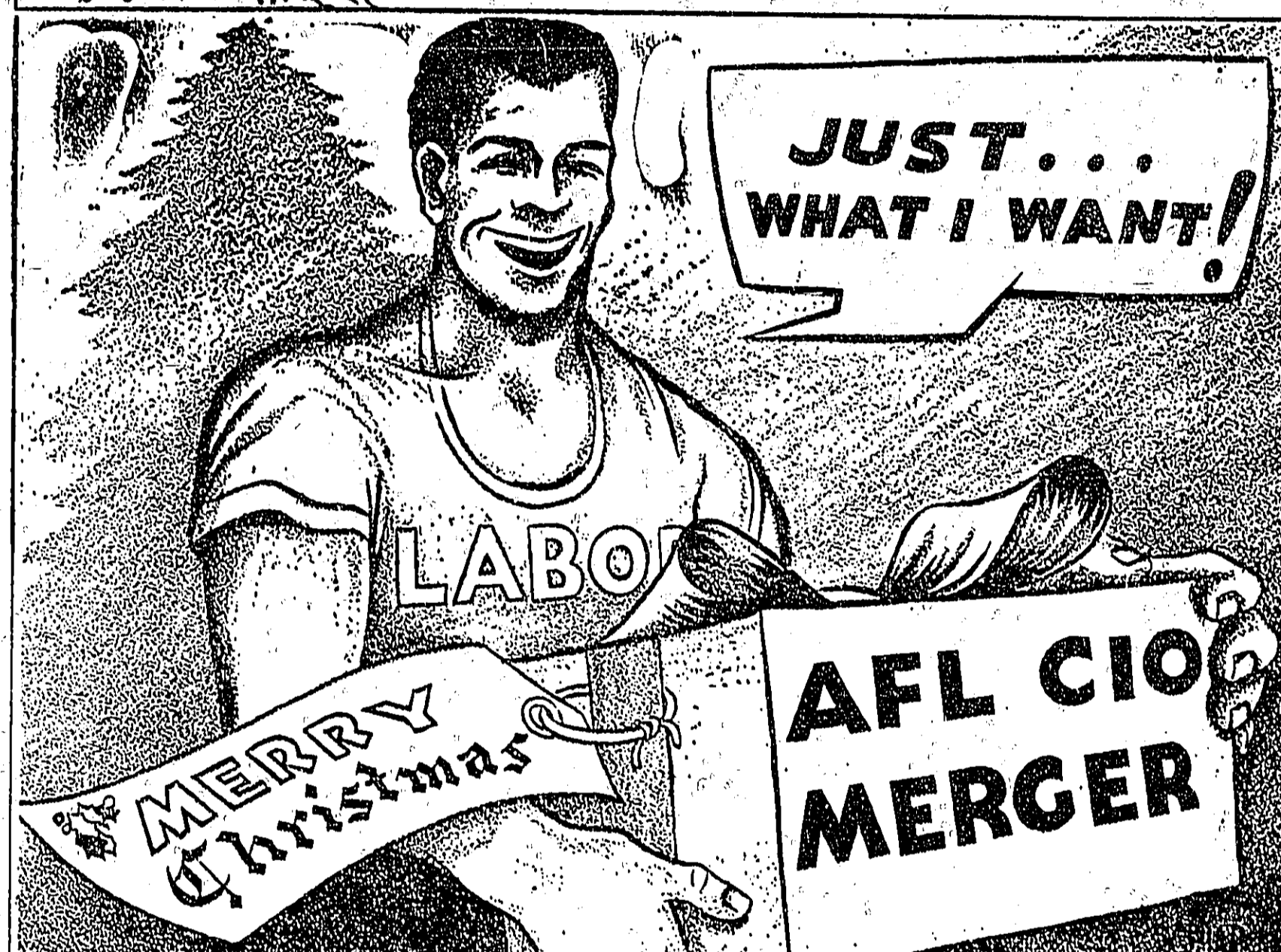
Vol. 2 — No. 12

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

December 16, 1955

Seasons Greetings

To All our Union members and their families



1/4 Million Weekly For West's. Strike

While the Westinghouse Strikers, members of IUE-CIO, enter their eighth week on the picket lines, an emergency appeal was sent out from the National IUE office in Washington to step up the drive for strike support in an effort to provide Christmas dinners to those among the 55,000 strikers who will not be able to afford them.

The Washington office pointed out that the cost of the strike is running at \$4.00 per member each week. At this rate, multiplied by the 55,000 strikers, the cost of the strike from the National Strike Fund approximates \$250,000 each week.

The National Strike Committee allocates the necessary funds depending on local developments. For (Continued on Page 4)

Bribery Failure In Scab Drive

Strikebreaking attempts by Westinghouse have failed miserably.

Despite bribe offers, interference by police, injunctions issued by the courts and a desperate, last-ditch publicity pitch by the company, the ranks remain solid, as union members repulsed the label of "scab".

True, with the aid of a hundred police, sheriffs, deputies and troopers some 100 scabs went into the plant at Columbus, Ohio. The company would let the world know that this is a great victory.

That is not the case. The picket lines of Local 746 at Columbus remain firm, although greatly outnumbered by police and company guards since an injunction limits pickets to 6 at a gate. Although no-

(Continued on Page 4)

Special Member's Meeting Unanimous For Westinghouse Strike Support

At a special called membership meeting last Monday at Krueger's Hall, the second shift and first and third shifts endorsed a recommendation unanimously to contribute \$12,000 from Local 301's Defense and Building Fund to the Westinghouse strikers. The contribution will credit IUE Local 301 with a total of \$20,000 contributed to the Westinghouse Strike Fund. The Local had sent \$8,000 previously, money which had been collected from our members in the shop. The shop collections will continue for the duration of the strike.

The \$20,000 donated by Local 301 may seem large in the opinion of some people, but contrasted with the cost of operating the Westinghouse strike, \$250,000 each week, our donation is small.

The \$20,000 in a per capita basis from Local 301 represents approximately \$1.60 per member contribution. However, the per capita evaluation is not a fair method to use in calculating how much each member has contributed because in the first 8,000 contributed, some members donated as high as \$45.00 each. The recent \$12,000 is actually on a per capita basis with each member donating the equivalent of two months contributions to our local Defense and Building Fund of 50¢ per month.

Executive Board Election Dec. 29th

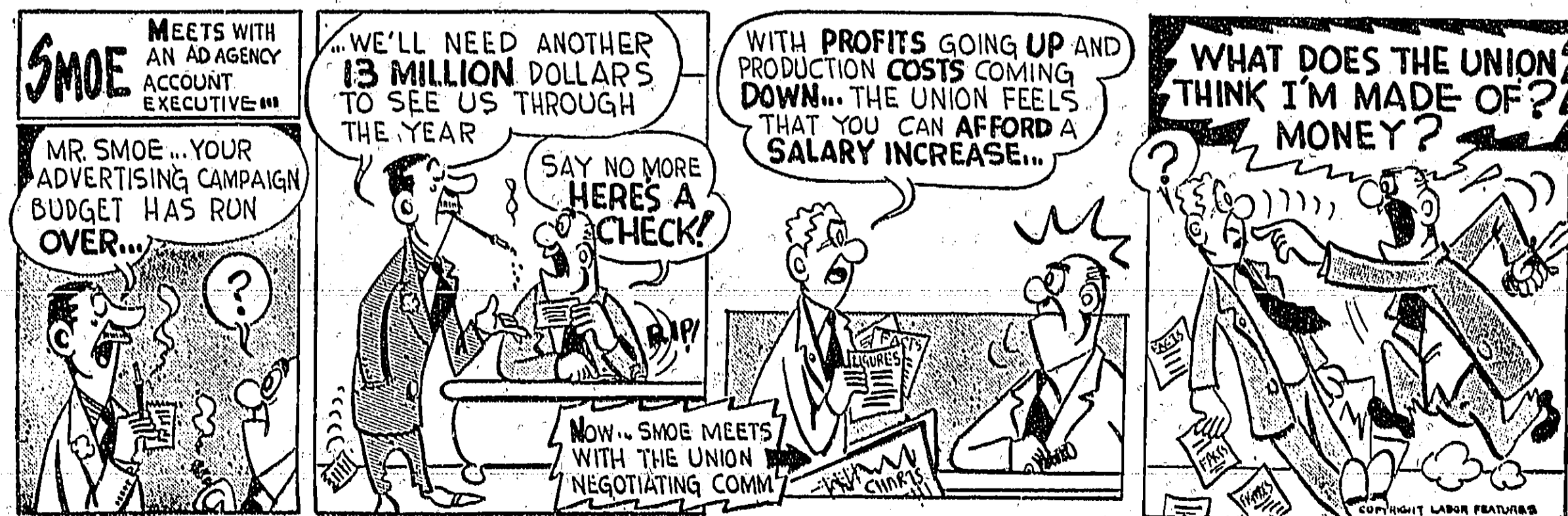
Notice will go out in the mails next week to all IUE Local 301 Shop Stewards of the coming election for Executive Board Members to be conducted on December 29th.

The elections will be held at the IUE Local 301 Union Headquarters at 121 Erie Boulevard, under the supervision of the Local's Election Committee. The letters notify each Steward of the time the election will be held for Board Member of his section.

Candidates for Board Member must be a Shop Steward with a total experience as a steward of at least six months. The successful candidates will serve a two year term until January 1, 1958.

Each Shop Steward will be paid lost time by the Union for the time involved in coming to the Union

(Continued on Page 4)



Westinghouse Strike . . .

HERE'S THE SCORE, LOCAL BY LOCAL

Westinghouse's last-ditch desperate attempt to start a back-to-work movement by offering bribes and putting on pressure by foreman and other personnel has backfired. The strike is more solid than ever. Scab-herding with the aid of hundreds of cops and troopers has resulted in a trickle of about 100 scabs out of 55,000 determined union members going in. Here's the local by local score:

Local 111, Philadelphia, Pa.

Strike solid. Morale good. Receiving good cooperation from local councils, other unions. Injunction has been granted company against Local 107 UE strikers by Supreme Court after being denied and castigated in lower court.

Local 130, Baltimore, Md.

Solid. Company-sponsored back-to-work movement a flop. No one attempting to cross picket line. Company attempt has only solidified workers more. Good strike support from the Maryland CIO Council. Shipbuilders, Steelworkers and Auto Workers also aiding. Still working on surplus-food — committee went to see Governor. AFL cab drivers also contributing. Supervisors going around threatening people—with no effects.

Locals 202, 219, Springfield, Mass.

Determined. Already making plans for Christmas fund. Every local union has offered use of office girls to write letters to every local union in Massachusetts. Received check for \$500 from ILGWU (AFL-Ladies Garment Workers). Receiving excellent service from Red Feather Agencies.

Local 239, Bridgeport, Conn.

Solid. Company furloughing salaried, supervisory and technical help. Cutting wages of management.

Locals 1581 and 315, Buffalo, N. Y.

Company not even trying a back-to-work movement. Strike is solid. Locals threaten to close powerhouse if company even tries to start back to work movement. Starting Christmas Fund.

Locals 401 and 491, Metuchen, N. J.

Solid. Company not even trying back-to-work movement. Plant gate collections very successful. Have collected more than \$1,000 from UAW and Oil, Chemical and Atomic Workers, CIO. Receiving much help from AFL Representative on United Fund Board. AFL Operating Engineers not entering plant.

Locals 410 and 412, Bloomfield and Belleville, N. J.

Strike solid at both locations. Company had applied for injunction at Belleville. No official injunction issued but local had to agree to limit pickets to five per

gate. Picketing now more solid than ever.

Local 426, Newark, N. J.

Strikers putting on Picket line skit. Morale high. Part of skit contains barrel asking for contributions for "poor Gwilym Price, whose salary has been cut in half." A band has also formed. Have already received more than \$350 from Local 217, Rubber Workers, for Christmas Fund.

Local 449, Trenton, N. J.

Morale good. Company attempting back-to-work movement. No success. Foremen out visiting homes. Strikebreaking lawyer hired by company behind movement. Supervisory personnel only working every other week. Even then only getting part pay. Company trying to get unemployment compensation for furloughed people. Hearing on same coming up soon. State CIO will be well represented.

Local 456, Jersey City, N. J.

Miss meeting repudiates company's back-to-work movement. Morale good. Injunction limits picketing. Receiving aid from CIO Packinghouse Workers, American Newspaper Guild, UAW, Rubberworkers and IAM-AFL. Giving food vouchers, paying doctor's bills, drugs—arrangement with drug store to get drugs at wholesale prices.

Local 601, East Pittsburgh, Pa.

Company back-to-work attempt a dud. What was supposedly a back-to-work meeting turned into pro-strike rally. Company has furloughed over 50 per cent of salaried workers. Supervisors on part time. Disgruntled. Good community cooperation. Back strikers.

Local 617, Sharon, Pa.

3,000 out on picket line in display of solidarity demonstrating contempt for company's \$20 back-to-work bribe. No one crossed peaceful picket line. Attack company's "attempt to foment and incite riots." Company took moving pictures of line, also tape recordings. Several supervisors who were allowed to cross picket line tried to start trouble. But 3,000 solid union men on line paid no attention. Company had offered \$20 back-to-work pay, offered to pay for any damage to car, etc. No takers. Local has started Christmas fund. Toy collection in local stores. Special

booths set up with stores' cooperation, signs saying "Buy a Toy for children of Westinghouse Strikers." Boxes for collection of canned food also set up in groceries.

Local 627, Fairmont, W. Va.

Morale good. Strike solid. No sign of back-to-work movement. Issuing food vouchers to all in need.

Local 670, Huntington, W. Va.

Still solid. Have been pledged Christmas baskets by local AFL Labor Council. Have received aid from ILGWU-AFL. Many have found work.

Locals 711 and 759, Mansfield, O.

Company's strong attempt to break solidarity of Mansfield strikers countered by picket line demonstration of unity 1,500 strong. A few scabs crossed the line with no incidents. It is expected that no one will cross line hereafter. At the same time company is trying to entice people into plant it is laying off office force and rotating supervisors on basis of three-day weeks. Company offering usual scab bonus has flown in publicity crew to tout up scabs. Welfare committee of local doing excellent job. Buying lunch for school children. Contributions from Local 17, CIO Rubber Workers. Excellent community cooperation.

Local 746, Columbus, O.

Hundreds of cops, troopers, sheriffs and deputies help herd about 100 scabs through picket line. Highly touted back-to-work movement a fizzle; 4,500 strikers present solid front to company; 50 more deputies have been asked for. Company not making attempt to operate plant—just brainwashing few scabs who go in. Company got injunction limiting pickets to six per gate. However, judge congratulated local, said picketing had been peaceful, legal. Program in full swing. Company threatening to cut in half salaries of ratemen,

(Continued on Page 4)

IUE-CIO LOCAL 301 NEWS

OFFICIAL ORGAN OF LOCAL 301:
REPRESENTING SCHENECTADY
GE WORKERS

Published by the Editorial Committee
President.....James J. Cognito
Vice President.....Joseph Aloia
Treasurer.....Joseph Whitbeck
Recording Secretary.....Milos Moon
Asst. Recording Secretary.....Allan E. Townsena
Chief Shop Steward.....William Maritani
Business Agent.....Leo Jandracu
121 ERIE BLVD. SCHENECTADY, N. Y.

Questions and Answers Regarding the Insurance Plan

Weekly Sicknes and Accident Benefits

1. Q. This benefit seems to be different than it used to be. Previously, if your earnings put you in a certain earnings bracket, you received the benefit for that bracket or class whether you were at the bottom or top of the bracket.

A. This benefit is different. It is 50% of your normal straight-time weekly earnings and thus is fairer for anyone who would have been near the top of a bracket. This benefit will be computed exactly at 50% (above the earnings where the new minimums apply) and will vary directly with earnings. For example, if your normal straight-time weekly earnings are \$80.52, your weekly benefit would be \$40.26.

2. Q. Is there a new maximum?

A. Yes. It is \$85 a week instead of the \$40 maximum in the former plan.

3. Q. Is there a minimum benefit?

A. Yes. If annual earnings are less than \$3,000 (\$57.51 a week) the weekly benefit will not be less than \$32.50 (compared with \$25 as the minimum under the former plan). If annual earnings are \$3,000 or over, the benefit minimum is \$35 a week.

4. Q. Are benefits available for 26 weeks for one disability?

A. Yes. Also, for salaried employees, benefits of \$15 a week are payable for up to 20 days' salary continuance and then full benefits thereafter for 26 weeks, making, in their case, a total possible period of 30 weeks.

5. Q. If I collected for the full 26 weeks and then later returned to work and became ill again, am I eligible for more benefits?

A. If it is a different disability, you are eligible for another full 26 weeks of benefits.

6. Q. How do I get my weekly benefits?

A. You must fill out and file a claim form for them, and the claim must be certified by a physician.

7. Q. Are there special provisions in any states which affect these benefits?

A. Yes. In four states (California, New Jersey, New York and Rhode Island) there are slight differences in weekly sickness and accident benefits and contributions because the special requirement of Compulsory Non-Occupational Disability Benefit laws which exist in those states.

New York State
In New York the benefits of the

General Electric Insurance Plan meet the requirements of the New York Disability Benefits Law.

However, because disability benefits are provided in accordance with the New York Law for 4 weeks after termination of employment and there are benefits for the disabled unemployed, there are also higher costs. Accordingly, contributions for employee coverage are increased by 9 cents monthly over the standard contribution.

Employees who do not enroll for the complete General Electric Insurance Plan will be covered only for disability benefits required by law. The minimum benefits required by the law are 50% of weekly earnings with a maximum of \$33 a week. The required contributions for these benefits are 1/2 of 1% of earnings with a maximum of 30 cents weekly.

8. Q. With what day of an absence would regular Insurance Plan benefits be applicable?

A. After the seventh day of total disability or, if the person goes in the hospital before that time, the date of entry in the hospital as a bed patient.

9. Q. Must I file a claim form every week if I am continuously ill for six weeks?

A. No. The Insurance Company usually issues checks based on the doctor's prognosis. If he initially stated you would be out for six weeks, then checks will be issued by the Insurance Company each week for the entire period, unless you report to work before the six-week period is over. If your illness lasts longer than the doctor's original forecast, then a new certification form will be sent you for completion by your doctor.

10. Q. If I get sick during vacation—for which I am being paid—will I be eligible for weekly sickness and accident benefits?

A. Yes. After the usual week's waiting period you will be eligible for benefits even though you are being paid for vacation. If you are a salaried employee, benefits will be paid at the regular rate provided by the Plan and if you are still sick when you would normally return to work, your benefits after that date would be \$15 weekly during any period of salary continuance up to 20 days for the preceding 12 months period. Subsequently, your weekly disability benefits would go up to the amount provided in the Plan, i.e., one-half your normal straight-time weekly earnings.

Time-Studies A Vital Issue, Declares Big Biz Magazine

Westinghouse mis-management may try to laugh off the time study issue as unimportant, but it is recognized as of vital importance by the magazine of Big Business, Fortune.

That publication (\$1.25 a copy), in its December issue, in a long article on the Westinghouse strike, goes into the time study problem in detail, and upholds many of the charges made by IUE-CIO. These include the facts that:

The time studies are part of a general cost-cutting drive.

Work standards on indirect work is new.

Westinghouse intends to have its foremen work within a monthly budget.

The ultimate purpose of such time studies is the speedup.

There has been no arbitration at Westinghouse, even of grievances.

Legally, the present contract still has a year to run.

The Fortune article noted that Westinghouse set up a company-

wide "engineered standards" program in January, 1954, as part of a general cost-cutting campaign.

"This meant," says Fortune, "that the manpower requirements and the work load of each operation would be set through time study and methods analysis, and that each foreman would be obliged to function within a monthly budget of indirect-labor costs."

Fortune notes that IUE-CIO President Carey "has a simple argument. 'If a job can be measured, it belongs on incentive.'

"But such a proposal smies the company, for the ultimate purpose of these cost studies is to tighten performance without incentives." (This is a round-about way of saying it means the speedup.)

Fortune calls the Westinghouse strike the "first 'automation' strike." It says this strike "may go into the record books as the first strike on 'automation-type' issues in industrial history. Similar issues may confront every major

cooperation in the country in the next few years."

The magazine notes that "while time study of production men is no novelty, setting of work standards on indirect work is something new. Such jobs, it was thought, were not easily measurable or reading subject to incentive arrangements." The article continues:

"Actually, a new theater of conflict was being opened, one that may spread under automation. . . .

The article points out that because Westinghouse, "on general policy, would not arbitrate grievances," there were 101 walkouts in 1954, and 94 in the first nine months of 1955.

Yet Westinghouse wants a five-year contract, partly on the plea that it would mean five years of "labor peace," although the arbitration proposal it offers is so complicated and one-sided that it is almost as bad as no arbitration clause at all.

THE LEGAL CORNER

(A Column Written by Leon Novak of Novak & Diamond, Attorneys)

Disputes by Neighbors Over Property Line

It is surprising how often I am consulted by union members over a dispute which they are having with a neighbor over a property line. Very often this dispute is over a fence which has been erected by a neighbor so that it encroaches over the member's own lot. At other times it is a question over where the exact line is between the two lots.

What is not generally known, is the fact that, according to law, if your neighbor is encroaching on your land and if you have voiced your objection to this encroachment but you do not take legal steps to eject him, you are actually making him the legal owner of your land if the encroachment continued without interruption for a period of fifteen years! Under the law, this is known as "adverse possession" by the neighbor and the property belongs to him as if you had signed a deed giving it to him.

Such a situation can be a serious matter. Sometimes when I explain this law to a client he tells me,

shortsightedly, that even if he loses the land to his neighbor, it cannot be too serious because it involves not more than a foot or two of property and is not worth going to Court about. This is poor reasoning because in the first instance every person should show a desire to protect his property against encroachment. Secondly, every foot of property rises in value as the years go on. Thirdly, and this is the most important, the taking away of a foot or two of land by your neighbor casts reflection on your title to the rest of the lot and may cost you considerable when you wish to sell the property or when your family inherits it.

The law is a great deal more favorable to you if you face such a situation as soon as it arises, rather than to wait until it is complicated. Furthermore, it is more easily handled while you are alive to tell the story rather than when you are gone and your family has to face it alone.

In all matters involving property disputes and possible "clouds on title" it is cheaper, in the long run, to consult a lawyer than to leave it to chance.

EXECUTIVE BOARD MEETING

MONDAY, DEC 19th
7:30 p.m.

UNION HEADQUARTERS
121 Erie Blvd.

DOUBLE STANDARD

HURRY! INSTALL THIS NEW MACHINERY RIGHT AWAY

BIG BUSINESS

AUTOMATION CUTS PRODUCTION COSTS...

... AND MAKES SHORTER WORK WEEK POSSIBLE!

IT'LL TAKE YEARS OF SURVEY BEFORE WE CAN MAKE A DECISION ON THE UNION'S 35 HOUR WEEK PROPOSAL

WE MUST RUSH INTO THESE THINGS

SAME BIG BUSINESS

LABOR FEATURES