



# ENGINEERS NEWS

OPERATING ENGINEERS LOCAL UNION No. 3

VOL. TWO, No. 10

SAN FRANCISCO, CALIF.



DECEMBER 15, 1944

## Padway exposes nation-wide conspiracy to cripple labor through state legislation

### Plan to fight attacks told at convention

(EDITOR'S NOTE: Following, in part, is an address delivered by Joseph A. Padway, general counsel of the American Federation of Labor, at the recent New Orleans convention. Because the subject matter vitally concerns all members of Organized Labor, we are running as much of it during this and other issues as we have space for.)

President Green, Delegates, Ladies and Gentlemen:

I deeply appreciate your very kind expressions. It is most gratifying to me to have you acknowledge before this great convention your satisfaction with the legal services performed by me and my associates for the American Federation of Labor.

My talk to you this year is in the nature of "unfinished business." Last year I reported to you in some detail on the anti-labor laws in the States of Idaho, South Dakota, Arkansas, Texas, Kansas, Michigan, Florida, Alabama, Massachusetts, Minnesota and Colorado. I made a short analysis and an explanation of the more important provisions of the laws passed by these states. I also brought to your attention that in some states lawsuits had been instituted to test the constitutionality of these laws.

At that time we had but one court decision, and that was in connection with the Colorado law. Judge Sackman, the trial judge, had passed upon the various provisions of the Colorado law, and he held those provisions in the law which provide for compulsory incorporation of labor unions and for regulation of the internal affairs of labor unions to be unconstitutional. However, he upheld other restrictive provisions in the Colorado Act.

Since then other court decisions have come down from courts of other states, and it is my purpose now to report to you on those decisions and the status of the court cases pertaining to these laws.

So that you may better understand these decisions it may be well for me to state again the basic objective of these laws. There are three major objectives:

1. Unions and officers of unions must register or obtain a license before they can proceed to do business as unions or officers.

2. Prohibition of striking, boycotting and picketing unless the strike has been authorized by a majority vote.

3. Vesting in the state control

(Continued on Page 8)



### Christmas Greetings!



The Officers of Operating Engineers, Local Union No. 3 of the International Union of Operating Engineers extend to you our very best wishes for a Merry Christmas and a Happy and Prosperous New Year.

PATRICK CLANCY  
President

T. M. BYNON  
Financial Secretary

ALTON M. CLEM

M. G. MURPHY

C. F. MATHEWS  
Recording Secretary

V. S. SWANSON  
Local Union Manager

Executive Board

HARRY W. METZ

H. O. FOSS  
Vice-President

P. E. VANDEWARK  
Treasurer

GROVER C. BRADDOCK

ED. DORAN

### Big appropriations promise lots of S. J. valley jobs

By ED DORAN  
Business Representative

**Stockton**—Appropriations totaling \$45,642,200.00 for projects on seven rivers in this area, in the omnibus flood control bill slated for Senate action in Washington, it was announced this month. The bill includes authorization of approximately \$124,000,000 for California projects.

The measure has passed the House, but if the Senate accepts Senate Commerce Committee amendments to the House passed bill, these will be referred to a Senate-House Conference Committee for settlement of differences.

Projects in the Stockton area included in the bill, all for Flood Control unless otherwise specified, include the following:

Merced County stream group, \$1,300,000;

Lower San Joaquin River and tributaries, including Tuolumne and Stanislaus rivers, for flood control and other purposes \$8,000,000, for initiative and partial accomplishments.

Calaveras River, Littlejohn Creek and tributaries, \$3,868,200 included in a Senate Committee Amendment.

Sacramento River, \$15,000,000. A change in the recommendations of the Army engineers to the Senate Committee provides for installation of a small power plant for the Table Mountain project. The bill states this modification "shall not be construed to authorize the construction of a high dam at the Table Mountain site, but shall authorize only the low level project to approximately the elevation of 400 feet above sea-level, said low-level dam to be built on a foundation sufficient for such dam and not on a foundation for future construction of a higher dam."

Folsom Reservoir on the American River, \$18,474,000. This would also provide for irrigation and possible power development in the future. (Inserted as a Senate Committee Amendment.)

(Continued on Page 5)

### Activity in San Rafael vicinity reported on by representative

By H. O. FOSS  
Business Representative

**San Rafael**—Brother Tom Rush of Mill Valley with his cherry picker with Brother Yoder at the controls is now cleaning up for the state on the Waldo slide.

Hutchinson Quarry at Greenbrae has three shovels in operation with Brothers Waggoner, Lewis and Rowley operating. Brother Atkinson in charge of the mill. Brothers Asher and Pecho on the Brown hoists. Brother Webster is in charge of the hot plant. The place is rather busy with the exception of the hot plant which is running rather spontaneously on short orders.

The Basalt Quarry is installing a large crusher and going to complete it with a screening plant at McNear's Point—Daniels old quarry. This apparently will be one of the most up to date screening plants in the Bay area on its completion.

(Continued on Page 8)

### Swanson reports on convention

By V. S. SWANSON  
Local Union Manager

Since our last Engineers News was published, I have spent much of the time away from the San Francisco office. It was my privilege to attend the A. F. of L. Convention just held in the City of New Orleans, Louisiana. While there I also attended the Metal Trades Department Convention and the Building and Trades Department Convention to which I was a delegate from our International Union.

It was indeed a privilege because of the opportunity to meet and talk to people from every state of the Union who have spent their lives in the labor movement and who were at the Convention in the interests of the workers whom they represented there. It is a great education in itself to attend.

#### HARMONIOUS MEETING

The Convention was one of the largest ever held and perhaps the most harmonious. With the exception of two resolutions which caused some argument on the Convention floor, all were settled in the various Committees and were passed without any opposition. The recommendation of the Executive Board of the A. F. of L. settled once and for all the jurisdiction dispute between the International Association of Machinists and International Union of Operating Engineers. This decision gave the Engineers the jurisdiction of all repairs necessary to the machines we operate. An Agreement between the International Brotherhood of Electrical Workers and the International Union of Operating Engineers was arrived at and reads as follows:

#### IBEW AGREEMENT

"In the matter of dispute between the International Union of Operating Engineers and the International Brotherhood of Electrical Workers over the operation of power driven winch and crane trucks the undersigned Committee held a hearing at the Roosevelt Hotel on Saturday, November 18, 1944, in accordance with the instructions issued by the Executive Council of the Department at its August meeting held in the City of Chicago, Illinois.

Representing the International Union of Operating Engineers were the following: Wm. E. Maloney, General President; Frank A. Fitz-

(Continued on Page 2)

## Airport, highway programs may provide jobs in Nevada

By JOHN DeLAGRANGE  
Business Representative

**Reno**—We have no new or proposed work for the State of Nevada at this time. I am only submitting contemplated work in the Western area.

The Dow Construction Company has completed their contract at Herlong, California. Due to weather conditions the Nevada Rock and Sand has closed both the Golconda and Elko projects. They will be resumed in the spring.

We have a new contract that was let at Pyramid Lake, November 22, and Miller and Stoutenburg was the low bidder, this consists of dykes on the Truckee River. The Nevada State Game

and Fish Commission awarded a small contract November 27, to Isbell Construction Company for a water supply dam to their Verdi State Fish Hatchery.

The proposed bill now before Congress submitted by the CAA for Air Port improvements for \$1,250,000,000, Nevada's portion of this bill will consist of \$1,235,000, for thirty airports and \$3,515,800 for improvements for the existing airports to be spent in the State of Nevada.

I have also told you in the previous newsletter that the State Highway Department has plans and specifications for a State Highway Planning Program. This will be governed by a Nation-wide State Highway Reconstruction Program.

In the past month we have signed up on union agreement the Flutrok Corporation of Yerington, Nevada and the John Power's, Utility Company of Reno, Nevada.

Brother H. L. Spence, a very, very good representative of Local No. 3, has been transferred and at this time is in Ely, Nevada. He is now taking care of all the Engineer's work in our Eastern Nevada district. Brother Spence is a very good and reliable man and the Reno office regrets his loss. Due to the mileage in this State Brother Swanson suggested that we open an office in Ely.

Best of luck to Brother Spence from the Reno Office, as we know that he will make good.

On returning from my duck hunting trip Sunday, December 3, I heard a very amusing story over the radio, in which a comedian asked the Master of Ceremonies who was the leading jockey in the United States, after the Master of Ceremonies had named several well known jockeys the comedian said that he was wrong, so the Master of Ceremonies gave up, the comedian informed the Master of Ceremonies that the only leading jockey in the United States that ever won four races on a "jack-ass" in succession was Franklin D. Roosevelt.

I attended a Post-War Mining conference in Redding, Calif., November 29 and 30, with Brother Hester and Brother Otto Nevers of Eureka, Calif., for the Post-War Mining Industry. This was a very successful meeting, specially due to working conditions that Local No. 3 now has in the State of Nevada.

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**Life's Like That!**

A man on the coast of Florida wrote to a New York store for a barometer. When it arrived he unpacked it and discovered that the instrument was set at "Hurricane." He tapped it and it did not budge. He hung it up, tapped it again, and still it did not budge. Very angry, he wrote a strong letter to the store and then went to post it. When he returned his house as well as the barometer had blown away.

VICTOR S. SWANSON.  
Sworn to and subscribed before me this 5th day of December, 1944.  
(Seal) MARION M. BENDER.  
(My commission expires Dec. 24, 1946)

## Army seeks men on construction jobs for vital war operations

The following urgent letter, asking for experienced construction men for special assignments in the armed forces, has been received at the San Francisco office of Local 3. The co-operation of any of our members will be appreciated:

HEADQUARTERS  
ENGR PORT CONSTR & REPAIR  
Gp. (CE-32)  
Camp Gordon Johnston, Florida  
29 November 1944

International Brotherhood of  
Operating Engineers  
San Francisco, Calif.

Sirs:  
Familiar with your intimate connection with marine heavy construction, I am writing to inquire whether you know of any workers in this field whom we might get for service in another Port Construction and Repair Group, now being organized and trained here.

Some of your men are now in these units, which, as you know, are doing a splendid job overseas and in every combat zone.

We need men who have had experience as:

General and Rig Pile Driver and Dock Foremen  
Iron Foremen  
Master Mechanic or assistant  
Steam Hoist Engineer (Skid and Floating Machines)  
Crawler Crane and Shovel Operator (2 cubic yards)  
Truck Crane Operator  
Blasting Foremen  
Dockbuilder, Bridge Carpenter, and Ironworker

All these men will hold ratings as non commissioned officers in these units from corporal to master sergeants. (As information a table is attached giving pay rates and other benefits.)

If you know any such man in the Army, in the States, I would ask that you give me his full name, Army Serial Number, organization and camp, and I will try to get him in our unit, where his past experience, in my opinion, would be used to the greatest advantage to himself and the Nation.

If you know any such a man to be shortly drafted, I will try to fit the "squarer peg in the square hole," if I receive his full name and address, with full draft status.

The War Department will also accept for voluntary enlistment in these units specially qualified men from 38 to 51. If you know of anyone of this age who wants to serve his country overseas building piers, bulkheads, bridges, etc., send me his full name and home address, or better still have him write me and we will try to get him a real job.

Having spent over 20 years with waterfront contractors myself, I feel that I can ask you for this assistance in getting in contact with construction men, without apology.

Thanking you in advance for your prompt cooperation.

Sincerely yours,  
JULIAN A. DICKINSON,  
Lt. Colonel, C.E., Commanding.

## Crippled Workers Are Fitted for Paying Jobs

Over 75,000 crippled workers, heretofore unable to work, were rehabilitated under Federal-state vocational training programs during the 12 months ending June 30, 1944, and are now holding jobs paying an average of \$32 a week, the Federal Security Agency revealed. That's the greatest number of handicapped workers placed on jobs in any year so far, the agency said.

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Too many patriots claim to be supporters of the government when they are merely holding it up.

## Never expects increase in spring construction work

By OTTO E. NEVER  
Business Representative

**Eureka**—The news from the Redwood Empire is changing gradually, and we look for an increasing amount of shipyard and construction work in the spring.

Near the Oregon line at Smith River, John Burman and Sons are about through with their dirt-moving job and should be pulling out by the middle of December. Seven miles south of Klamath, Mercer Fraser have an access road to build for the U. S. Bureau of Forestry to serve the lumber for the Arrow Mills. Baker Bros. are doing the dirt-moving job there under the foremanship of Andy Kucan. Many of you old-timers will probably recall Andy. He still is a good fellow to work under.

South of this job and adjacent to the elk preserve, Mercer Fraser are finishing an access road for the California Barrel Co. On my last visit there, Bud Henderson was leveling off the shoulder with a bulldozer and doing a nice job. George King was handling the blade on the gravel bar on Redwood Creek where Mercer Fraser are getting out their gravel for both access roads.

E. B. Bishop have three rigs going on the Essex cut-off between Blue Lake and Highway 101, with Brother Warren Miles doing the nut busting. Brother Miles has been up at Port Orford and found it necessary to become a member of 701. He is transferring back to good old 3, however. Brother Mayhew is the pusher on the job.

Miles Brothers' crushing plant is closing down for the season and they are now overhauling. Mercer Fraser's two hot plants are also closed down, but Ralph Brown manages to keep most of the brother members busy.

We have heard from Brother Wayne Livick, formerly leverman on the dredge Oscar McGee. He is now in the South Pacific for the U.S.E.D., presumably at Guam. Brother Marvin Neal has left the East Coast to report at Mare Island as a Chief Petty Officer, U. S. Navy. Brother O. C. Baird has been released from the Navy and is now operating the Gilmore Service Station at Bucksport, and we hope the brothers going through Bucksport will patronize Brother Baird.

Brother Pat Furnish is still at Chicago Bridge and Iron Co. and doing a good job as both crane operator and being a steward. Brother Bill Goetz is now a superintendent at the C. B. & I. Brother Al Mongrain is foreman on the swing shift. Brother Roy Stevens is handling a Manitowoc speed crane in all the hot spots. Brother Roy is one of the old-timers who can always be depended upon to come through when the going gets tough.

Contractor Tom Hull is doing a couple of piledriving jobs; one for the County and is starting another for the Eureka Shipbuilding. Conditions at the Chicago Bridge and Iron Co. are about the same, and that is, they are gradually cutting down and they undoubtedly will be closed down by the 15th of April. With the available housing here, we hope that the yard will be converted into a repair yard. At this time, the yard has been cut from 3200 employees to approximately 2200.

The Eureka Shipbuilding Co. at Fields Landing is now installing a marine railway for the repair of small boats; principally fishing boats, and have some nine boats awaiting repair as soon as this marine railroad is completed.

Scheumann and Johnson have finished up the wingwall job at Dyerville and will undoubtedly

ship their equipment to Seattle. E. B. Bishop has about a 65,000-yard dirt moving job next to the Hotel Benbow on Highway 101 and has six brothers busy there on cats and carryalls. This job should last about 90 days. We have had some trouble in getting good carryall men for this contractor.

The bridge job at Lane's Flat over the Eel River being done by Fred Maurer and Son is completed. We can check that off as one headache we are glad to see completed. Clements and Co. have finished their asphalt laying above Laytonville and have closed down, leaving their rock crusher and hot plant as is until spring.

We have notice from Robert E. Lee, recruiting representative of the U. S. Navy West Coast Installations, that heavy duty mechanics, hoisting and portable engineers, power plant engine men at \$1.52; electric crane operators at \$1.30; oilers at \$1.17 and firemen at \$1.29 are needed for Pearl Harbor. If you are planning on leaving your present job, it might be well to consider a job of this type. Transportation is paid to Mare Island and you will be paid \$1.15 per hour and \$4.00 a day maintenance until you are accepted and put aboard ship, where your regular pay will start. Applicants must sign up for 18 months. Rent is \$10.00 per month and meals \$1.20 per day. You are rationed to a fifth of whiskey a week and 4 bottles of beer a day. Age limit is 62 years. Further information may be had by contacting your local United States Employment Service office.

We also understand that there is a job opening up at Caracas, Venezuela. As soon as this information is available, we will print it in the following issue of the news.

## Swanson reports on convention

(Continued from Page 1)  
gerald, Jos. S. Fay, W. H. Thomas, Herbert Woods.

Representing the International Brotherhood of Electrical Workers were the following: Ed J. Brown, General President, Daniel Manning, Rex Transway.

After hearing the arguments advanced by the representatives of the above organizations and viewing the exhibits presented by them, the Committee has decided as follows:

DECISION  
In accordance with the jurisdictional claims of the International Union of Operating Engineers recognized by the Building and Construction Trades Department which we quote:

"HOISTING AND PORTABLE  
"All hoisting and portable engines on buildings and construction work, where operated by steam, electricity, gasoline, hydraulic or compressed air, including pumps, siphons, pulsometers, concrete mixers, air compressors and elevators where used for hoisting building materials, street rollers, steam shovels, dinky locomotives, cableway, clam shells and pile drivers."  
THE EQUIPMENT IN DISPUTE, POWER DRIVEN WINCH AND CRANE TRUCKS, IS THE WORK OF THE MEMBERS OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS.

This decision applies only to (Continued on Page 3)

## ENGINEERS' NEWS

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# Everybody working in San Jose, at least temporarily

By M. G. MURPHY  
Business Representative

**San Jose**—Brothers, I don't aim to mislead you by the above caption. There IS no unemployment here at the present time. However, work is not too plentiful either and there are no new jobs starting up and the prospects for the immediate future do not look too bright. So far I have been fortunate in placing men on jobs, though. Every time a brother member pokes his "snoot" in the window to say hello, I kill a little time with him, then I have to tell him I have nothing in the way of work to offer him in this territory but brother so and so can use you in some other territory and out he goes. That is the reason we have no unemployment here and hence the above caption. San Jose has its regular number of contractors and they employ, almost steadily, the same number of engineers—no loss and no gain. We do expect plenty of Post-war work, however.

Salinas, Monterey, Watsonville, Santa Cruz, King City, Hollister Air Base, Camp Roberts, Camp Ord and all other points south are very quiet with the exception of a few small jobs such as refinishing streets, a sewer job in Salinas and some new barracks and buildings on all three air bases.

Moffett Field has its same number of employed working on the roads, streets and hangars as before. However, we expect to hear of more good news from that particular field in the near future.

Permanente Cement and Magnesium Plant are running about the same this month as last—very few changes. Nevertheless, we can always place a few more men in the Magnesium Plant as it appears there is always a vacancy or shortage somewhere and especially on the Retort Tops.

Brothers, this is about all the news I can give you on what's doing in the San Jose district and I know it is not very much. The rains that we have had in the past month have contributed somewhat to the quiet spell which we are experiencing here. No doubt it is being felt in other districts as well.

### NEWS FROM THE BROTHERS

Brother Bert Larsen has been on the sick list for some time but will soon be back on his feet again. . . . Brother Quadros of Santa Cruz has been confined to the hospital for some time and is still quite ill. . . . Brother R. B. Harris has been confined to his home for some time with a bad heart. However, he is expected to resume his former activities soon. . . . Brother Bob Rivola of Permanente has left for the Navy to help get rid of a few more Japs. . . . Brother N. A. Fast is in the San Jose Hospital recovering from a serious injury received at Food Machinery and will be incapacitated for many weeks to come. . . . Brother J. L. Parker received a few broken digits in his labors the other day but is expected to resume operations again, soon. . . . Received reports about two CHESTY GUYS the other day. One, Brother Larry Hagle, is the proud papa of a seven pound baby girl, born the eleventh hour of the eleventh day of the eleventh month. Did you "Crap Shooters" ever hear of so many elevens? Brother Ben Blackman is the other CHESTY GUY. He was in the other day and announced that his son had been promoted from the rank of Lieutenant to Captain in the night fighter business in the South Pacific. Keep up the good work, boy. . . . Received some very bad news the other day. Brother Danny Dees informed me that his brother and OUR BROTHER Charley Dees has been seriously

injured in action. This is a tough break and we can only hope and pray that it wasn't TOO seriously. Have received many interesting letters from Charley and know he was doing a swell job out there with the Engineers.

Well, Brothers, this is about the extent of my report except to wish ALL our brothers, both here and in the service and their families, A VERY MERRY CHRISTMAS AND A HAPPY NEW YEAR. A new year in which peace will be restored and our men and women who have been doing such a splendid job in the Armed Services are returned to their homes and loved ones again.

## ATTENTION, MEMBERS!

By TOM BYNON  
Financial Secretary

From time to time various problems come to our attention that make us realize how few of our members know just what to do when they want a withdrawal card, a transfer, or service withdrawal card, or wish to reinstate after suspension.

To obtain a WITHDRAWAL CARD, dues must be paid for the month in which the card is issued, and the five-dollar withdrawal card fee must accompany your request. You are eligible for the withdrawal card only if you are no longer to be employed at the trade. It is advisable to consult with your business agent or the San Francisco office before taking out a withdrawal card, as it is not to your advantage to get one unless you will be away from the trade for at least one year.

To obtain a TRANSFER CARD (also called a traveler's card or clearance card), dues must be paid for the current month. The one-dollar transfer fee must accompany your request. Until such time as the card has been accepted in another local union, dues must be paid to the local union that issued the card. The one-dollar transfer fee applies only to those who have been members for six months or more. Membership of less than six months' standing carries a fifteen-dollar transfer fee.

The SERVICE WITHDRAWAL CARD carries no charge. You are eligible to obtain one if you are in military service. Dues must be paid for the month in which the card is issued, regardless of the month in which you entered the service. The service withdrawal card should be deposited back in the local immediately after discharge from the service. No charge is made, other than dues for the month the card is deposited. Service withdrawal cards can be deposited only in the local that issued the card.

TO REINSTATE, the twenty-dollar reinstatement fee must be paid, as well as the Sick and Death Assessments, plus accrued dues and three months dues in advance. You can get a statement of your account by writing or telephoning the San Francisco office.

May I wish you all a MERRY CHRISTMAS AND A HAPPY NEW YEAR!

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### Analogy Too Far

Minister (at a funeral): "Friends, all that remains here is the shell—the nut has gone."

# Pay increase in sand and gravel industry partly granted Fresno

By WM. A. WAACK  
Business Representative

**Fresno**—With reference to the application for the approval of a proposed wage adjustment in the Rock, Sand and Gravel Industry of this area, the War Labor Board advises us that our request has been partially okeh'd, effective as of January 15, 1944. Those classifications granted increases are as follows:

- Shovel Operators, 3 yds or over
- Firemen or Oilers
- Steam Dinkey Engineers
- Gas and Diesel Engineers.

These increases represent a small minority of the workers in these plants and although any wage gain is appreciated, those grossly underpaid plant operators and helpers were entitled to an adjustment. However, the War Labor Board at the present is ruler of the roost. We must wait for a more opportune time, it seems, to correct the inequities in these plants.

Capitol Construction Co. is moving down the San Joaquin River with their flood control job. There are about 14 engineers on this project. They started at Mendota and are well past Firebaugh at this writing. George Paterson of Stockton and his gang are well represented on this job. These riverbottoms are a hunter's paradise.

Martin Kritzer, who recently purchased a shop and storage yard on Cherry Avenue in Fresno, has a similar job at Riverdale. These two jobs are as good as any jobs in the State and as to conditions, better than the majority. Any squawks on these jobs should be brought to the attention of your local representative and not agitated where the rigs are working.

Wayne Brookshire has taken on some land leveling projects. He has three rigs of his own and plans to add the fourth immediately. Wayne knows this business and his success is assured by the well wishes of the skimmers that worked with him.

J. E. Haddock Co. is building up his fleet of cats at Porterville until it has taken on the size of a major project. There seems to be no end of land in this area that cannot be made productive by leveling and irrigation.

A most interesting visitor to our Fresno Office was a Representative of the Bureau of Reclamation. He is checking the local wage scales of the area, preparatory to the construction of the Friant Kern Canal. Your representative, in seeking information which he thinks you may be interested in offers these facts. The War Food Production Board has decided (before election) that the water applied to the dry lower valley would not materially increase the production of food for the war effort, consequently they refused to approve the priorities necessary for this job. That the job will not start until the war in Europe is ended, that it will cost 30 million dollars, and that its size will be increased 25 per cent and take four years to complete.

Hugh Miller dropped into our last meeting on the 30th of November. He is stationed at Fort Lewis, Washington, where he is running a shovel for the Army. As close as he figures he's getting 15 cents an hour for his services.

Our next Fresno meeting will be held on December 28th. In the month of January a meeting will be held at Avenal for the benefit of the Brothers working in the Oilfields.

# Jobs in Sacramento region go ahead, despite weather

By F. A. LAWRENCE and HARRY METZ  
Business Representatives

**Sacramento**—Casson & Ball at Fairfield Airport are just about finished. They have completed moving out equipment, and most of the equipment is being sent to Port Chicago.

Kiewitt-Johnson & Everist are still working on their apron contract. This company is very anxious to get through their job here as they have a contract at Riverside, California. Men have lost very little time due to rain. Brother Bud Hall's outfit is going full blast with Hugh Cole and Brother MacKay operating concrete finishers. Brother Ray Austin is foreman for Charley Underhill. Brother Frank Haiduck is operating clamshell for Ready Mix Concrete Company, who are supplying material for Moore & Roberts job.

California Plumbing Company and Brother Harry Kritzer are doing streets, etc., for Moore & Roberts at the airport. The proposed new runway has not been let to date.

Morrison-Knudsen levee job at Rio Vista is shut down at present due to weather conditions; may start again if it dries enough.

The Sheldon Oil Company continues to use several of our members on oil roads.

The Olympia Dredging Company is still on government contract. The trouble there may be settled by the time this is out.

Case Construction Company are repairing their dredge with a new ladder; will start again soon at Isleton.

Wm. Railing has moved his equipment from Knights Landing state job to another road job from Vacaville to Fairfield airport. M. Lynch on same job is about completed for our members.

Another housing project to be let at Fairfield soon will be started by the time this issue is released.

A. Teichert & Son continue to work at both McClellan and Mather Airports.

McGillivray Construction Company plant still under operation; also several brothers at ranch land leveling.

Dumond Company have finished their job at the shipyard and are still trying to obtain additional Navy work for the yard.

Leo Lentz continues to keep several members busy around Sacramento.

Soule Equipment Company have established a yard and shop at 12th and G Streets. Brother Chuck Elliott is acting manager.

H. E. Parker Company have additional work at Woodland Levee. Continue to keep all their equipment busy there and at Bear River, Feather River levee jobs. Stanfield Company have several small land leveling jobs around Marysville-Wheatland district.

Lord & Bishop continue to load cobble stones for Lathrop. Brother Ward Moyer now operating shovel for them.

At Colusa Levee, Bressi & Bervanda have caused considerable trouble during this job, but the shifter causing this trouble has been instructed to change his ways. About five more weeks of work there.

The Morrison-Knudsen bridge job at Davis is going along O.K.

W. A. Bechtel Co. bridge job at Marysville going with five members on the job. W. A. Bechtel Company has also started a job at Virgilia. To date I haven't had time to visit this job, but will do so very soon.

through there around the 20th of December.

Wm. O'Hair job at Colusa still going and still in need of an oiler.

The proposed new runway at Mather Field has not been let to date. It may be held over until spring.

The following brothers were injured since our last report:

Brother Glenn McClean, in bed at Colfax suffering from a serious heart attack.

Brother H. C. Eckley still laid up from his accident since November 6, 1944.

Brother Glenn Severson still off work, having shot off one of his fingers.

Brother Virgil Petro died at Hot Springs, Arkansas, on December 4, 1944.

Brothers L. E. Townsend and Elmer A. Barnes were both visitors from De Witt Hospital at Auburn. Here's hoping they both get released soon.

**ATTENTION ALL MEMBERS:** The Marysville office will continue to remain open on Friday nights from 7 p.m. till 9 p.m.

The Sacramento office will be open both Tuesday and Friday nights from 7 p.m. till 9 p.m.

You can obtain your gas, tires, pay dues, report conditions on your jobs, and obtain information.

For your information, Brother Harry Metz, who has been working out of here has been transferred back to the Bay District. And the many brothers who had the pleasure of meeting him and working with him join with me in thanking him for his good work.

I want to thank each and every member who has worked in Sacramento, Marysville and Fairfield and Rio Vista District for their co-operation during the past year.

In closing, we both join in wishing each and every brother a Merry Christmas and a more prosperous New Year.

## Swanson reports on convention

(Continued from Page 2)  
work coming under the jurisdiction of the Building and Construction Trades Department.

(S) RICHARD J. GRAY,  
Chairman  
WM. J. MCSORLEY  
ROBT. BYRON."

It is hoped that the above Agreement will help to eliminate any difficulty that otherwise might have developed.

### INFORMATIVE SPEECHES

There were numerous speeches made at the Convention that contained both information and education. One in particular that I trust we will find space in this issue to print was delivered by Joseph A. Padway, General Counsel for the A. F. of L. and dealt with much of the anti-labor legislation proposed by various states. It contains valuable information which all of us should read and be interested in.

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"I never wish to see America again," says Carol of Rumania. Kid, we believe that could be worked up into a bilateral agreement.—"Senator Soaper" in CINCINNATI TIMES-STAR.



# News from the San Francisco office

By P. E. Vandewark and Pat. Clancy, Business Representatives

## Word from the jobs

Eaton and Smith were low bidders on the track removal job from the city, which involves track removal, and repaving of the outside car line on Market Street, from Valencia to 17th Street. They still have considerable work left at Hunter's Point involving grading and adjacent land levelling.

Gerwick Morrison and Twaits job at Hunter's Point is progressing smoothly with several operators and repairmen busily working two shifts. Approximately 90 per cent of this job will be water work; therefore some of the brothers will become good sailors after they have "rode out" some of the more serious storms that do hit the Point once in a while. Macnson's have about completed

their contract on utility work at the Point.

Charles Harney is still working on the Candlestick Cove, Candlestick Point, and Hunter's Point, laying "hot stuff" and moving dirt.

Fay Improvement Company is about finished with sewer and street repaving jobs on Evans Avenue.

J. D. Proctor Company has two rigs, pile driving, at the present time on Treasure Island.

Mercer and Fraser and Healy Tibbetts are also still doing pier work at Treasure Island.

G. W. Thomas, Farnsworth and Ruggles, W. R. Ballinger and Ballinger and Son, have all their truck cranes busy, but it would take ten business representatives

to keep up with these rigs as they are continually moving from one job to another all over the Bay area.

The ship repair work along the waterfront is still very slow, but so far there has been no reduction in employment as far as our members are concerned.

In San Mateo County work has been very slow due to the heavy rains. Mills Field has approximately two weeks more to go, with good weather. There are nine and one-half million more yards contemplated for the field, as well as relocation of the State Highway, which will take a lot of fill.

The Granite Construction Company's job at Redwood is proceeding slowly due to the rain. W. O.

Tyson is furnishing the rock for this job.

L. C. Smith has a few small housing jobs, as well as several other small jobs in the county. The Atkinson yard is proceeding about as usual.

The Ruddy job at Tanforan has been slow because of the mud. They will set up a hot plant at Rockaway Beach.

The Belair Shipyard still has five brothers employed, and Western Pipe & Steel remains about the same as usual.

We ran into a little hard luck on the R. G. Clifford tunnel job. We understand that portions of the tunnel are caving in due to water. The Connolly tunnel job is

just about completed with three members still employed.

Soda & Son is still fooling around at the Pan-American Air Base.

The Union Paving Company have a small contract at Mills Field and Pete Sorensen was low on approximately twenty-eight thousand yards of rip-rap at Mills Field. He is expected to start immediately. The rock, sand and gravel plants are proceeding with a few little differences here and there.

It is good to know that the War Labor Board granted our request for oilers wages to be raised from \$1.20 to \$1.33 $\frac{1}{2}$ , retroactive from October 2nd. This covers all oilers, cat greasers, and heavy-duty helpers on the Mills Field job.

## Daily construction report

### November 6, 1944

HAMILTON FIELD, Calif., contract awarded to Wm. D. Rapp, \$36,319 for const. of a hangar foundation at Hamilton Field.

MILL CITY, Nevada, contract awarded to Brizard Co., \$12,521 for const. sewer system improvements at Mill City.

### November 7, 1944

SALINAS, Cal., contract awarded to P & S Const., \$11,632 for const. of extension to intercepting outfall sewer line on Pajaro, Alisal to point near Lake Street in Salinas.

SALINAS, Cal., contract awarded to Edwin J. Tobin, \$13,644 for const. Park Lane Sewer in Salinas.

HAYWARD, Calif., contract awarded to Zaballos Bros., \$5,171 for const. 48' long pile trestle bridge across Sulfur Creek, near Russell City.

REDDING, Cal., contract awarded to D. V. Stutsman, Union Welding Works, \$10,037 for installing approx. 6,700 ft. 10 in. No. 12 gauge welded steel pipe extension to Mun. water sys.

### November 8, 1944

SACRAMENTO, Calif., contract awarded to Fay Improvement Co., \$44,369 for 0.7 mi. grade and asph. conc. pave on cr. run base and on exist. pavement on Hunter's Point Blvd., Innes Ave., and Donohue St., S.F. County.

SACRAMENTO, Calif., contract awarded to Geo. French Jr., \$75,253 for 2.4 mi. grade and plantmix surf. on untr. rock base, betw. Stockton and Rough and Ready Island.

SAN FRANCISCO, Cal., contract awarded to A. D. Schader, \$31,749 for laying tracks and const. addition to Belt Railroad Yard at King St., S.F.

SAN BRUNO, Calif., contract awarded to Monson Bros., \$25,479 for const. a transmitter bldg. at the San Francisco U. S. Coast Guard Radio Station, San Bruno.

PORT CHICAGO, Cal., contract awarded to Parker Steffens & Pearce, \$75,987 for const. of stripping and joiner shop at the Naval Magazine, Port Chicago.

### November 9, 1944

BOISE, Idaho, contract awarded to D. A. Sullivan, \$22,962 for 2.037 miles resurfacing section of the Ahsahka-Kendrick Hwy., Nez Perce County, and 4.637 mi. of the Arrow Deary Highway in Lath County, Idaho.

BOISE, Idaho, contract awarded to F. R. Hewitt, \$33,505 for 8.4 miles crushed rock surfacing State Hwy. betw. Nez Perce and Kamiah.

TRACY, Calif., contract awarded to Asta Const. Co., \$2,726 for removing and replacing arch culverts and repl. with new No. 8 gauge arch culverts and resurf. with Class B Double seal coat.

HUNTER'S POINT, Calif., contract awarded to Equity Const. Co., \$30,200 for const. Management and Maint. Bldg., at Ridge Point War Dwellings.

RICHMOND, Calif., contract awarded to Biltwell Const. Co., \$182,877 for fire prevention measures on 1312 dwelling units at Richmond.

SACRAMENTO, Calif., contract awarded to A. Teichert & Co., \$20,714 for const. of sentry tower and paving at Sacramento Signal Depot.

McCLELLAN FIELD, Cal., contract awarded to H. W. Robertson, \$31,887 for const. adn. to prefabricated hangar at Sacramento Air Depot.

### November 10, 1944

MATHER FIELD, Calif., contract awarded to Trewitt, Shields and Fisher, \$150,209 for const. of hangar and apron at Mather Field.

MARE ISLAND, Calif., contract awarded to Barrett and Hilp, \$9,223 for const. of telephone center and bus waiting room bldg.

POINT MONTARA, Calif., contract awarded to Wells P. Goodenough, \$10,993 for const. of ordnance and training facilities.

### November 13, 1944

TREASURE ISLAND, Cal., contract awarded to Miller and Stoutenberg, \$127,500 for supplemental water supply at Treasure Island and Yerba Buena.

ALAMEDA, Calif., contract awarded to Macco Const. Co., \$46,818 for 18,360 tons rock fill in timber bulkhead, N.A.S. Alameda.

SAN BRUNO, Calif., contract awarded to Erbentraut and Summers, \$461,800 for const. of 176 temporary family dwelling units at San Bruno.

### November 14, 1944

SAN FRANCISCO, Calif., contract awarded to A. A. Tieslau and Son, \$2,940 for repairs to driveways in Golden Gate Park.

SAN FRANCISCO, Calif., contract awarded to A. A. Tieslau and Son, \$3,920 for repairs to driveway and auto parking area, Harding Park Municipal Golf Course.

SAN PABLO, Calif., contract awarded to Macco Const. Co., \$27,341 for const. moorings for loading ships in San Pablo Bay and in Suisun Bay.

SAN FRANCISCO, Calif., contract awarded to S. F. Bridge Co., \$1,520 for maintenance dredging in Redwood Creek.

### November 15, 1944

FORT ORD, Calif., contract awarded to Western Well Drilling Co., \$9,883 for drilling water well at Fort Ord.

MOFFETT FIELD, Calif., contract awarded to Pittsburg Des Moines Steel Co., \$937,590 for const. supersonic wind tunnel and bldg.

SAN FRANCISCO, Calif., con-

tract awarded to De Luca and Sons, \$123,800 for const. 48 temp. family units in San Francisco.

BENICIA, Cal., contract awarded to Grinnell Co., \$92,300 for inst. sprinkler protection for dock at Benicia Arsenal.

HAMILTON FIELD, Calif., contract awarded to H. H. Larsen Co., \$102,723 for const. of air freight terminal at Hamilton Field.

### November 16, 1944

FAIRFIELD-SUISUN, Cal., contract awarded to Peter Kiewit Sons Co., and Johnson and Everist, \$175,042, for const. of hangar, etc. at the Fairfield-Suisun Army Airfield.

### November 20, 1944

OAKLAND, California, contract awarded to Dinwiddie Const. Co., \$294,400 for const. bldgs. and inst. yard services at Hurley Marine Works.

FALLON, Nev., contract awarded to C. B. Lauch, \$47,733 for const. of 20 temp. family dwelling units at Fallon.

### November 21, 1944

STOCKTON, Calif., Twaits, Morrison Knudsen and Gerwick, \$1,377,000 for const. of administration bldgs. and structures, storm drainage, utilities, water, gas, sewer, fire and sprinkler systems, railroad tract, etc.

OAKLAND, California, contract awarded to McGuire and Hester, \$12,931 for placing steel plate tunnel lining and repairing exist. Sausal Creek culvert in vicin. of McKillop Rd. and Sheffield Ave., Oakland.

REDWOOD CITY, Calif., contract awarded to Equity Const. Co., \$19,020 for const. of a nursery school in Redwood City.

### November 22, 1944

EUREKA, Cal., contract awarded to F. R. Archibald, \$8,800 for const. approx. 1,800 1-ft. vitr. or concrete sewer system in Eureka.

ALAMEDA, Calif., contract awarded to Lee Scaramelli, \$1,849 for repairing concrete sidewalks, curbs and gutters.

McCLELLAN FIELD, Cal., contract awarded to Fred J. Early Jr., \$78,362 for const. sewage plant enlargements at McClellan Field.

## Here and there with the brothers

Uncle Sam is getting tired of some of our brother engineers and is sending them back to us. Among those who have recently been discharged from their respective branches of service are:

Ralph O'Hara, Jack Morton, Oval Wheeler, Robert Pasch, Gerald Yates, Dwight E. Williams.

Brother Howard Tolson, one of our young shovel runners has gone into business for himself, and is now operating a service station at Seventh Avenue and Lincoln Way.

We will venture to say it is not as easy work as pulling levers, but at least he is his own boss!

We recently received a welcome letter from Brother "Ted" Bankston, who is with the U. S. Army somewhere in India. He is now foreman over a "gang" of coolies! We hope they can understand Ted's language!

Also welcome was a letter from Brother Frank Turrentine, who is with Bechtel Parson McCone in Arabia. He says the biggest com-

plaint among the fellows has been the weather and the shortage of females!

Due to the vital necessity of paper in the war effort it would be impractical at this time to mail individually to all the members a Christmas Greeting, so I wish to thank you one and all for the splendid co-operation over the past year and wish you all a MERRY CHRISTMAS AND A HAPPY NEW YEAR!

PAT CLANCY.

# What's doing in the Oakland office

By Al Clem, T. D. Bryson and Joe Walther, Business Representatives

## Getting around the jobs

The Construction work picture has not changed a great deal this month and due to the rainy weather several fellows are losing considerable time.

Macco Case Construction Company anticipate finishing their Pier job at Port Chicago the latter part of this month.

Macco Construction Company was the successful bidder for a 450,000 yard fill job at Yard III, Richmond.

T. D. Badger Company of Boston are anticipating starting a \$1,000,000 Chemical plant in Richmond around the 20th of December.

E. T. Haas Company are busy on their water main job at Port Chicago.

Earl Hepple Company has finished pouring concrete on one overpass and are now starting work on the second.

Moore Dry Dock Company erection department are moving into Port Chicago to set steel in the overpass work.

Raymond Concrete Pile Company have finished driving piles at the Intransit Depot job at Alameda.

Guy F. Atkinson Company have 4 Engineers on their overpass job at Port Chicago.

Piamba has a job at Hercules

Powder Company at Pinole wrecking three buildings. They have a crane and a Dozer on the job. Rosenthal has a crane on the same project.

Swinerton & Walberg are winding up their job at the Santa Fe Depot and Yard, Richmond.

McDonald & Kahn have 27 members employed on their three jobs in Port Chicago.

Baker Brothers have moved five cats and four carryalls from the Redding Area to the Oakland Air Port where they are moving two hundred thousand yards of sand putting in a new runway.

Fulton Boat Yard at Antioch are finishing up the last two boats of their contract. They anticipate starting on private work soon. Brother Louis Arata is Steward on the job.

George Williams was low bidder on a Housing Project at Camp Parks, Pleasanton. They anticipate starting work soon.

Brother Barney Bell of Ford Twaits Company reports they are finishing their job at the Alameda Naval Air Station and expect to have it completed around Christmas.

Hurley Marines are erecting two new Dry Docks at their Yard at the foot of Fifth Avenue. The work is progressing nicely and

they expect to be operating within the next 30 to 60 days.

United Engineering Company has been assigned one of the Navy A.R.D. Floating Dry Docks to be used for repair work presumably on destroyers.

Amship Corp. Repair yard located at the old Alaska Packers Dock, Alameda, have recently leased Ed Samario's truck crane and are operating two shifts.

Walter Johnson Company is busy constructing two Pontoon Barges and Ferries for the Navy at the old Pacific Bridge Yards. This job is scheduled to last approximately 30 days longer, at which time the General Engineering Dry Dock Company will take over the entire yard and will operate as a repair yard.

Peerless Iron Works is keeping busy at their Prefab Yard in Alameda. Brother Heidenthal and Brother Anderson are operators on this job.

East Bay Ship Repair Company have closed their yard on High Street due to an internal dispute. They hope to adjust matters and resume operations in the near future.

The Rock Sand and Gravel plants in the Livermore-Pleasanton-Niles Area are all very busy with some difficulty being experi-

enced in supplying men for these jobs.

We have put several Seabees, who are stationed at Camp Park and Shoemaker, to work oiling part time on these jobs.

Construction work picked up a little during the month of November as we cleared 680 men as compared to October's 605. Shipyard dispatching dropped from 257 to 192 this month, so it appears that the men in the yards are staying on the job.

J. H. Pomorey has started a job at Ninth Avenue Pier assembling Pontoons. We have approximately six engineers on the job at the present time.

Kaiser Company Yard III at Richmond has been selected by the 12th Naval District for repairing warships and troopships from the Pacific battle area with plans for conversion of five docks from construction to repair drawn up.

The plans include a considerable expansion of the yard's facilities. The repair work was expected to begin in April. Improvements planned for the yard by the Navy included: Construction of two finger piers; construction of a rock-faced fill adjoining the existing graving docks; and installation of two temporary steel cofferdams to permit deepening of the docks for accommodation of larger vessels.

This conversion will make Yard III one of the most versatile in the Bay Area during and after the war, the Navy said.

A naval officer said that the Kaiser yard was selected for the repair job because its executives and women have valuable experience in outfitting a wide variety of naval vessels, including landing craft, assault transports, troop transports and cargo ships.

The CALIFORNIA LABOR SCHOOL in Oakland is now entering its second semester. In a few months, the school has become an integral part of the Eastbay Area.

Among the courses being offered this semester are: "World Labor Movements," "Union Leadership in the War and Post War," and "American Trade Unionism."

Other subjects covered include Languages, Arts and Crafts, Dramatics, Social Sciences, and Writing.

Any member interested in attending the CALIFORNIA LABOR SCHOOL in the Eastbay, contact the Oakland Office for particulars. The sincere support which is given to this program by organized labor, business groups, and community organizations stands as a guarantee of the continued success of the CALIFORNIA LABOR SCHOOL.

Your Oakland Business Representatives wish to take this opportunity, in this, our final news item for the year, to thank the members for the co-operation and support they have given us during the past year. The Girls in the Oakland Office join us in Wishing each one a Merry Christmas and a Very Happy New Year!

## What the brothers are doing

Brother C. G. Harkrader is Steward at Yard IV, Richmond, graveyard shift.

Brother Melvin Lambert is Steward on the Fredrickson Brothers job at Concord.

We regret to report the death of Brother Harvey Toponce, who was killed in an automobile accident, Wednesday, November 29.

Funeral services were held Friday, December 1, at Wilson and Kratzer Mortuary in Richmond.

We are sure the old-time members will be sorry to hear of the death of Brother Ben Crudup, an old-time member of the Engineers, who was employed at Moore Dry Dock Company, Oakland. Brother Crudup became affiliated with the Engineers in 1926.

Funeral services were conducted November 22, 1944, at Clarence Cooper Mortuary, Oakland.

Brother Frank Camarota had the misfortune to slip off the rig he was operating for A. D. Schader in San Francisco and sprain his ankle. We understand he was off work about two weeks.

Brother G. Woods suffered a

broken shoulder sustained from a fall at his home.

Brother James McCarty, Bridge Crane Operator, Yard II, Richmond, is confined to the Field Hospital with a fractured jaw and minor internal injuries received when he fell from a crane Saturday, November 25, 1944.

We understand that Brother McCarty will be in the hospital ap-

proximately six weeks and we are sure he would appreciate a visit from his fellow Brothers.

Brother James C. Laker is confined to the Community Hospital in Martinez as a result of an automobile accident recently. Brother Laker did not regain consciousness for several days. We understand he is progressing nicely, but will be confined to the hospital for several weeks.

## Our boys in service

Brother Pvt. Ray A. Purdy, who is stationed with the Army Engineers in Fort Lewis, Washington, recently enjoyed a furlough with his family and friends here.

Brothers H. F. Soehner and W. E. Dishman, both M.O. M.B. 2/c, have completed their basic training at Farragut, Idaho, and recently enjoyed a short leave here with their families. Upon their return to Farragut, they were to receive an assignment for further duties. They are in the ship repair unit.

Brother Private Jack Studebaker of the U. S. Army was a recent visitor in our office. Jack recently completed his six months training at a camp in New Orleans, Louisiana, and was on a short furlough.

Brother Jack Morton has again returned to civilian life after receiving an Honorable Discharge from the U. S. Army. Jack was in the service 29 months. Nine and one-half months were spent in Italy in actual combat duty, serving as an M.P. in Salarino and Casino. Jack must have some very interesting stories to relate.

Brother Tom Lowry, MM 1/c, who has been serving in the Sea-

bees for one year in the Pacific Area, has returned and is now stationed in the Oak Knoll Hospital for treatment.

Brother Virgil Guptill has been confined to a Naval Hospital in the South Pacific for the past six weeks, but expects to go back to active duty soon.

A letter was received by this office from Brother Ray Ferdig who is somewhere in the South Pacific with the Seabees. Ray states it rains pretty often, but dries quickly so they don't lose much time in their work. Ray is busy herding a blade around.

Brother Mike Eneboe writes from somewhere in the South and Southwest Pacific, where he has been for the past seven months with the Merchant Marine, that he is looking forward to the day when he can return to cats again.

Brother Eneboe was foreman for Rudy & Son at the Concord Airport before entering the service.

Brother Joe Duncan, MM 2/c, who participated in "D" Day in France, has returned to the States on a furlough and is visiting his family and friends in Denver, Colorado. A phone call was received from Joe recently and he wished everyone a "Merry Christmas."

## Promise lots of San Joaquin valley jobs

(Continued from Page 1)

The above information and statistics were obtained through the Division of Public Inquiries, OWI.

So, while we are on the subject of the War Labor Board, for the information of the members of Local 3 working on Rough and Ready Island for Twaits-Morrison-Knudsen & Ben Gerwick companies, there has been filed an application for wage increases for Heavy Duty Mechanics, Grade Foremen, Bulldozer Operators, truck crane operators, Ross Carrier Operators, Wood Road Mixer and concrete batch plant operators. This request for wage increases has been placed in the proper agency, so all that remains is the answer from the Board and their decision, and as soon as it is received you will be notified immediately.

The records of the Stockton office show that there were 467 operators and oilers cleared to the Navy job last month. However, they have knocked off the night shift of cat skimmers which caused a traffic jam in the Stockton office for a few hours; but, it so happened we had a few permit men working who were replaced by members of Local 3. Some of the out of work skimmers were sent to Al Clem at Oakland office and some to Lawrence at Sacramento

which took care of most of them.

Claude Woods has his crew crusher operating now and is supplying rock for Rough and Ready Island, Brother John Perkins is operating the new crusher and Brother Bob Walker, an old-timer in the Engineers Union, is operating the small screening plant and crusher. Joe Burnside is running shovel also Henry Morris is operating shovel.

Brother Red Williams cleared out of the Stockton office to Brother Gerwick on a driver. Brother "RED" has been places since he enlisted in the Army. Italy, India, Sicily, Africa. His Army discharge looked like a tourist folder. He also received a medal for something. "RED" wouldn't talk about it. Welcome back, "RED."

Geo. French is going right along with his many jobs in this area. The crusher is set up and ready to go at the new location at Tracy. Highway job at Rough and Ready Island is about completed as far as the grading is concerned.

Provision for two airport projects here costing \$142,000 and \$510,000 is contained in a proposed National Airport Construction and improvement program costing \$1,250,000,000 being studied by Congress following its introduction by the Civil Aeronautics Administration.

The program lists 14 airport projects in this area, for anticipated expenditure of \$1,994,000. It provides that California would receive 174 new airports and improvements to 137 existing fields at an estimated cost of \$56,912,900 to be financed by the State and Federal Governments. Construction would be completed over a 5 to 10 year period. The cost of building the 174 fields would be approximately \$37,893,980 while an estimated \$19,018,520 would be spent in improvements.

Other projects in this area included in the lists were as follows: Sonora \$272,000, Byron \$2700, Jackson \$56,000, Lodi \$18,000, Los Banos \$234,500, Mariposa \$25,000, Merced \$52,000, Modesto \$129,000, Oakdale \$12,000, Pittsburg \$308,000, Tracy \$154,000 and Turlock \$86,000.

The new working rules as revised are ready, you may have them by calling at the Stockton office or writing to 805 East Weber Ave., and they will be mailed to you promptly.

In closing, I want to wish every member of the Operating Engineers Union and their families, wherever they may be, a Merry Christmas and a Very Happy New Year. To our members in the armed forces a prayer and a speedy return home.

# Round-up of the news from Utah

By C. L. Casebolt, Salt Lake; T. L. Clark, Salt Lake; Scott Ledingham, Ogden; C. R. Van Winkle, Provo—Bus. Representatives



Geneva Steel Co. officials and A. F. of L. representatives who negotiated agreement covering employees of steel plant. Left to right, Merrill Russell, general

attorney for company; R. B. Duffin, A. F. of L.; C. T. Spivey, company superintendent of industrial relations; Irvan Cary, A. F. of L.; Harry McEwen, con-

ciliator for department of labor; Peer D. Nielsen, general superintendent of plant; Lee Anderson, A. F. of L.; C. B. Holts, A. F. of L.; C. N. Chadwick, A. F.

of L.; C. L. Casebolt, A. F. of L.; R. G. Glass, vice-president and manager of operations for company. Sitting, Walther Mathesius, president of company.

## REPORT OF THE SALT LAKE OFFICE

By C. L. Casebolt

I am submitting herewith for this issue out of the signing of the Geneva Steel Company agreement, for the paper. While I was a member of this committee and fully conversant with all of the facts, Brother Van Winkle has reported on it at length so I will not go into further details at this time.

Work in Utah in general is slowing down somewhat but we are fortunate in having work for most of our members. A few of them going to the coast and many of the brothers going to work in Civil Service jobs. This apparently is our best opening and we are having fairly good success in getting the money on these different jobs.

General working conditions in Local Utah are improving. At this writing we are having considerable difficulty with the Morrison-Knudsen Company and are endeavoring to straighten them out for the state of Utah and the state of Wyoming. This company is doing a great deal of work in Wyoming under open shop conditions. It is apparent that the small engineers local in Casper has been unequal to policing these jobs.

Peter Keiwitt and Company are doing a \$5,000,000 job at Laramie, Wyoming, manned principally with Local 3 men. They are not under an agreement and the Brothers report that the job is not entirely unreasonable. Conditions can be improved upon. We have had many requests by Local 3 members for us to come into this territory and straighten out these contractors. I have tried several times to contact Brother Swanson on this matter while he was in the East but was unable to reach him, however, before you read this article I will know definitely what course to pursue.

By T. L. Clark

My work during the past month has been policing jobs in the Salt Lake area. Work has dropped off considerably but we have very few men out of work. There is a shortage of Oilers and Firemen.

J. J. Burke is driving Pile for the hangar at Wendover.

L. A. Young and Associates have the general contract for the hangar and paving apron. Several brothers working on this project.

We have a small job at St. Johns. Two small jobs at Tooele Ordnance.

Dougway Proving grounds has entirely shut down. Contractors have moved their equipment away.

Utah Construction job at Magna working a number of men and the

job at Bingham Canyon will be shut down by the 10th of this month. This is the job here we had great difficulty in securing the prevailing wage rates for mechanics and Tandum operators. In fact we could not secure the pay raise until we called on Brother Swanson, who plead the case before the Wage and Hour division in Washington and secured the raise.

Gardner & Company is still working on the Denver and Rio Grande Railroad.

Gibbons & Reed have finished paving in Salt Lake and the Hot Plant is shut down at present.

North West Construction Company have been awarded a small bridge job in Millard County, which they took for \$6000 less than the engineer's estimate, so I guess this job will have to have quite a few visits from your business agent.

## REPORT OF THE PROVO OFFICE

By C. R. Van Winkle

Well, the best news from this area is the news that the American Federation of Labor has signed an agreement with the Geneva Steel Company, something the CIO said we would never do. The Agreement was signed on Wednesday, November 22, by the Committee representing the American Federation of Labor. This Committee, and an able Committee it was, was composed of Irvan J. Carey, A. F. of L. Representative, Brother C. L. Casebolt of our Local, and Secretary-Treasurer of the Utah Metal Trades Council, Brother L. F. Anderson, Electrical Workers, Local Union 354, Brother C. N. Chadwick, Machinists District 114 and Brother R. B. Duffin, representing the Brotherhoods of Railroad, Trainmen and Firemen and Enginemen.

Part of this Agreement has been certified to the War Labor Board for settlement—that is, those parts that have to do with expenditure of money, such as wage rates, vacation with pay, severance pay, disability pay, shift differential pay, etc. Issues which were fully settled and incorporated into this agreement include: Procedure for settlement of grievances; conditions for discharge and the procedure to be followed; holidays, overtime, hours of work, seniority and re-employment of returned war veterans.

The main part of the Agreement is that part referring to the settlement of grievances, and our membership at the plant are urged to familiarize themselves with this procedure, and what is more important, to use it. With this procedure every legitimate grievance

or request can be adjusted, or realized and the Agreement strengthened.

## CONSTRUCTION WORK AT GENEVA

The construction work at the Geneva Steel remains about on the same plane.

Brother John Curlee, who was equipment superintendent for the U.P.M. for two years and later held the same position for the McGraw Company, is leaving on December 20th. Brother Curlee was very co-operative during his two and a half years here and much of the harmony enjoyed on the Geneva Plant during the construction period is due to his fine co-operation.

The McGraw Company still has the same crew with one or two additions and from all appearances will have several more months work. This company is taking care of all the clean-up jobs and there is considerable of this type of work. The American Bridge Company will have all their equipment shipped out by the 15th. Most of it is going to Hunters Point, so Superintendent Otto Schultz informs me. Otto says he intends to drop in and see all the boys when he gets back to San Francisco.

Ryberg-Strong and Grant has a small additional Railroad job on the plant, a job that will take about twenty days. Most of this work will benefit the Laborers, alone and there won't be much for the Engineers. The rumors of additional work on the plant have died down somewhat, but some additional small jobs will be developing from time to time, I am informed.

## BUREAU OF RECLAMATION WORK

The Carl B. Warren Company, who have the contract with the Bureau for the laying of the Salt Lake Aqueduct, have started their pipe plant up again in Pleasant Grove. Several more engineers were cleared to them when they started, and from all appearances the job would go through the winter without any lull. This Company will probably be going for the next two and a half years on this job from the information I am given.

The J. B. and R. E. Walker Company has the contract with the Bureau for the Provo Canal job are still plugging along with the same crew. Most of their work at the Hyland Draw and the American Fork Draw has been completed, and the most of the crew are working on the Provo Canyon Division. This company has about six months remaining to finish their contract.

## VICTOR NEWMAN STRIKE

This Company has the contract to lay about 15 miles of sewer lines in Orem City, and upon their moving into the area proved rather troublesome. Finally, after several weeks of attempting to iron out our differences and get them to abide by our working rules, it was necessary to remove our members.

Every one of them, I am proud to say, came off the job, on a Thursday, and by the next Saturday the company had signed an agreement and the members went back to work the coming Monday. Since that time, I am pleased to report, there has been no difficulty on the job.

## OTHER JOBS

We have succeeded in the last month in breaking into the sand and gravel industry. For the benefit of those who are not acquainted with this area, I would like to say that in this part of the country, there is considerable sand and gravel underlying the country, and for this reason there are many sand and gravel operators who are hard to handle.

In the past few weeks we have reached an agreement with the American Fork Sand and Gravel Company, and although it has taken considerable time in straightening out their operation, it has been worth it, because from this operation it appears that we are going to be able to straighten out several more. There are a number of small jobs going in this area—each of them not large in itself, but in the aggregate, they make a considerable amount of work. Some street and sewer work remains on the housing jobs, in Orem City the laying of the Orem City Sewer has caused considerable work laying lateral sewers. These jobs mean work for a runner and an oiler, and in many cases, work for a cat skinner.

The City of Provo has planned a considerable amount of street, sidewalk and curb work, but rejected the last bid submitted for this work and may put this work off until spring. The City of Pleasant Grove is proceeding with this type of work and has let the construction to Young & Smith, a firm that moves along fairly well.

## MEMBERS ADVISED NOT TO COME TO PROVO

While there are only a few members on the out-of-work list in this office, the prospects are that there will be an increase rather than a decrease, according to how the weather holds. The past few days the weather has been rather mild, but a week or so ago we experienced our first snow storm and cold snap. Many jobs

had to close down until the weather modified. So if you are planning to come to this area, it would be well if you contacted this office before coming, as there is a possibility that there will be work for you.

## SIXTH WAR LOAN

During the past week the A. F. of L. movement in this area, as in other areas, had devoted considerable time to encouraging the sale of War Bonds. We sponsored the appearance of Miss Anita Louise, Hollywood film star, and Major Allen V. Martini, American "Ace of Aces" who holds the record of downing 64 German planes without losing a man. After hearing him tell of conditions overseas you cannot help but buy that extra bond. It is little enough to pay for our safety that they are sacrificing their lives for every day.

By Scott Ledingham

The construction work at the Naval Supply Depot at Clearfield is about the only job of any size in this district. Winter weather may hinder work on this project but will not close the work down.

Hoback and Williams, the utilities contractor, have made extra good time and are about finished. They have layed off a ditching machine and one dragline crew. They expect to have completed their work entirely by the end of this month.

Gibbons and Reed have additional paving there, employing several engineers. Olaf Nelson is doing the grading for the buildings, roads and railroad. A good job for our boys. Spratlin and McDougall on their ready-mix concrete plant have six engineers working.

Utah-Pomeroy Companies have the main contract, with two engineers working. Most of this contract was sub-let.

Daum and Myers are doing exceptionally well with their building two engineers employed.

Perkins Construction Company on their warehouse job have a dozer operator and a trench machine operator working.

Our relations with all the contractors on the Naval Supply Base have been very good.

Harry Lee Plumbing and Heating Company have just completed their contract on the sewer at Layton. This has been a very difficult and lengthy one for the contractor. Local 3 men employed there have done very well.

The Stroud and Seabrook sewer job at Roy, Utah, will wind up this month.

Robert E. McKee Company has a small building contract at the Ogden Arsenal. Reynolds are doing the grading for them.

The Wheelwright Construction Company has a storm sewer contract in North Ogden. This job will run through the winter and they hope to keep all engineers working through the bad weather.

Olaf Nelson's road job at the Hot Springs will close down this week until Spring. Cats will be used for land leveling as well as on the work at the Naval Base.

The St. Benedict's Catholic hospital job, better known as the Jacobsen mud flats, will make better progress now that the ground is frozen.

This winter will be a very good time to organize the operating engineers who are employed by the state, counties and cities of Utah.

LET'S FINISH THE JOB—BUY EXTRA BONDS TODAY!



## Minutes of last Meeting December 2, 1944

Meeting called to order at 8:05 p.m., President Clancy presiding. Roll call showed Conductor Riley and Guard O'Brien absent. There were 103 members present.

### MINUTES

The minutes of the regular meeting of November 4 were by motion approved as printed in the Engineers News.

A synopsis of the minutes of the Executive Board meeting of November 18 was read, and the acts and recommendations of the Board were by motion approved as read.

A synopsis of the minutes of the Executive Board meeting of December 2 was read and the acts and recommendations of the Board were by motion approved as read.

### COMMUNICATIONS

From California State Federation of Labor, congratulations on the defeat of Proposition No. 12, and expressing appreciation for contributions, support and time expended in the defeat of same. Received and filed.

From San Francisco Planning and Housing Association, letter of acknowledgment and thanks for contribution. Received and filed.

From George R. Reilly, member of the State Board of Equalization, conveying greetings and best wishes to the officers and members for a Merry Christmas and a Happy New Year. Received and filed.

From Veterans Hospital Christmas Committee letter expressing thanks for contribution. Received and filed.

From the Taylor Accounting Service calling attention of the members to simplified tax laws. Received and filed for information.

Cards of thanks from Kathryn Schultheiss and family; mother of Tony Cardoza; Family of D. H. Duncanson; daughter and sons of J. J. Hatstrup—Mary T. Phelan, Joseph and Clarence Hatstrup. Received and filed.

### BUSINESS AGENTS REPORTS

Reports were rendered by the following Business Representatives: Brothers Foss, Murphy, Metz, Wack, Hester, Never, Bryson, Walther, Clem, Vandewark, Speers, Clancy. Brother Mathews made a report upon a meeting called by Admiral Nimitz at the St. Francis Hotel, Sunday, November 26, regarding the necessity of immediate repairs for ships damaged in the Pacific.

At this time Brother Charles Maletton, long-time member of the Engineers, stated he intended to retire and take it easy from now on. He stated he had pulled levers for many years and operated rollers. His remarks were well received by the membership.

Commander Miller, member of Local No. 64, enlarged on the necessity for ship repair on the Pacific Coast. His remarks were also well received.

### REPORT OF SICK COMMITTEE

The following Brothers were reported deceased: E. M. McClintock, B. J. Cudup, R. L. Neil and H. E. Wooten. Brothers Paul Harrison and Paul Bean were reported killed in action.

The following Brothers were reported ill: Manuel Maciel and Thomas N. Davis.

### DRAWING FOR DOOR PRIZE

The drawing for the door prize was held, and won by ticket number 68660, held by Silas D. Bayne, 1938 Page Street, San Francisco 17, California.

### NEW BUSINESS

Brother Walter Crowley presented a statement regarding the dead-

line to file for office, which was read by the Secretary. A motion was made and seconded that the article presented by Brother Crowley be printed in the Engineers News on the front page if possible. Carried unanimously.

There followed a discussion regarding the Engineers News, no action being taken.

It was regularly moved and seconded that when the meeting adjourn, we adjourn in memory of the deceased members. Carried.

There being no further business to come before the meeting, it adjourned in memory of our deceased Brothers.

Respectfully submitted,  
**C. F. MATHEWS,**  
Recording Secretary.

## Brother Crowley's Statement

The following statement was presented by Brother Walter Crowley at the meeting of December 2, 1944, and a motion was unanimously carried that it be printed in the Engineers News. This is being printed in compliance thereto.

### "DEADLINE TO FILE FOR OFFICE JANUARY 15, 1945"

We are now engaged in the most bitter struggle the world has ever seen. Why? So that the peoples of the world may govern themselves as they think best. Every Mayor, Governor and even the President of the United States have opposition at election time. It makes a stronger, better and more alert government. I am sure we have many members who are not now active in the union who are just as capable to hold office as those now in office. In our post war plans we are going to need new ideas to carry on. Let's see some new faces in our meetings and new names as candidates for the offices. Take more interest in the affairs of your local and let's make Local No. 3 second to none in the United States. Read rules governing the filing for office elsewhere in this issue and get in there and file for the office you feel you are best qualified to hold.

## AFL Asks Green Light For Television to Be Ready After War

Washington, D. C.

To spark off post-war development of the television industry and promote new jobs when the war ends, the AFL said it is urging the Federal Communications Commission to make prompt decision on allocation of frequencies for television.

Stressing two major reasons for labor's interest in launching the new electronic industry, the AFL said union members "share with the whole American population the great expectancy which attends the coming of these new services . . . and sees in television and related industries an important pool of employment opportunities for workers."

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A tactful man can pull the stinger from a bee without getting stung.

## Things rolling along about as usual in Redding area

By E. A. HESTER  
Business Representative

**Redding**—There is very little to report from this district now. Everything is going along about the same as usual. There are no new jobs in sight, with the exception of a new hospital which Dr. Wyatt is building here in Redding.

Carrico & Gautier have reduced their force by about six good engineers. J. P. Brennan is still working a small crew of engineers but has nothing of any size in sight. Andy Gladney is still working his equipment on the Southern Pacific Railroad near Yreka. Joe Lema is also doing some land leveling work in that vicinity. Brother Ernest Handt is holding down a drag-line job on ditch work for the farmers in Modoc County and reports that everything is going okay.

Freethy-Kimball Company have added to their force, as well as to their equipment, a piledriver. The Underground Construction Co. is engaged in some sewer work for the City of Redding. The situation at the United States Brewery at Red Bluff seems to be well under control. We have all jobs filled by competent Engineers. It seems to be quiet around Hein Brothers' Gravel Plant but all Engineers manage to stay on the payroll. E. B. Bishop has moved a shovel and other equipment from Coram to Koswick Dam, where he has 1500 carloads of slag to load. Due to heavy rain and snow, activity in the lumber industry has slowed

down considerably. Shasta Dam is supposed to be nearly finished now. We still have 35 Engineers on this project engaged in back-fitting, cleaning up, etc.

Brother Arthur Miller, crane operator in the Shasta Dam powerhouse, met with a very serious accident on Monday, November 20, 1944. He swung himself over the edge of the roof of the powerhouse in a boatswain to repair the seal between sections of the concrete. One catch on the chair came loose and Brother Miller took a high dive of about 60 feet.

He is now a patient at Mercy Hospital in Redding suffering from a broken leg, broken ankle, and other injuries. Brother Miller is an old-timer in the construction game, having worked on Boulder Dam and Parker Dam. He has been working on Shasta Dam since the beginning of the construction. Miller was true-blue to everything that is right and we wish him a speedy recovery. His wife and daughter reside in Summit City.

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In the old days when a fellow went courting he turned down the gas, now he steps on it.

**The Price of Victory**

**TAXES AND  
WAR BONDS**

**It Takes Both**

## Here are rules governing election of officers

In compliance with a motion passed at the Regular Meeting on November 4, 1944, the rules governing the election of officers are as follows:

Article XXIII, Subdivision 1, Section a of the Constitution of the International Union of Operating Engineers, states: "The officers of a Local Union shall be the President, Vice-President, Recording - Corresponding Secretary, Financial Secretary, Treasurer, three Trustees, three Auditors, Conductor, Guard and such delegates and committees as may be elected. The offices of Financial Secretary and Treasurer shall not be held by the same person."

In Local Union No. 3, a Local Union Manager shall be elected.

Article XXIII, Subdivision 1, Section b of the Constitution of the International Union of Operating Engineers, states: "The terms of all officers, excepting those of the Trustees and Auditors, shall be for one year or until their successors are elected, unless, however, the Local Union shall by proper action increase the term; but in no event shall any officer be elected for a greater period than four (4) years. The terms of the Trustees and Auditors shall be for three (3) years each and said terms shall be staggered so that the office of only one Trustee and one Auditor shall be for election in any one year. No member shall be eligible for election, be elected nor hold office unless he shall have been continuously in good standing in the Local Union electing him for not less than one year, nor unless he shall have filed a declaration of candidacy with the Recording-Corresponding Secretary of the Local Union for the office to which he seeks election on or before the fifteenth day of January preceding the election, nor unless he shall have been in regular atten-

dance at a majority of the regular meetings intervening between the date of the filing of such declaration of candidacy and the date of the election; the Recording-Corresponding Secretary shall read said declaration of candidacy at the next two regular meetings after the filing thereof. Any Local Union which has not been in existence for a period of one year may elect officers for the period between the date of its organization and the next annual meeting, from among its members in good standing.

Article VII of the By-Laws entitled Executive Board, Section 1, states: "This Union shall establish an Executive Board composed of the President, Vice-President, Recording - Corresponding Secretary, Financial Secretary, Treasurer, and five members who shall be elected at the time of election of officers, and shall serve for a two-year term. The Local Manager shall have a voice and a vote thereon by virtue of his position."

Article VIII of the By-Laws, entitled Election of Officers, states:

Section 1: The Election of Officers shall be held at the last regular meeting in June, and the nomination shall be held at the regular meeting prior to the election. The installation of the newly elected officers shall take place at the first regular meeting in July. All elections of officers shall be held by referendum, conducted by mail.

Section 2: An Election Committee of five members who are not candidates for any office shall act as judges and tellers of the election. This committee shall be elected by the Union on the nomination night, and shall have full charge of the election.

Section 3: The Recording-Corresponding Secretary shall furnish the Election Committee with the names and addresses of all members on nomination night.

Section 4: The Election Committee shall see that each member entitled to a ballot shall be mailed one. A standard size printed ballot must be used. All ballots must be mailed out by the Committee.

Section 5: All ballots shall be attached with a stub and numbered consecutively. A stamped return envelope bearing the number of the ballot, and addressed to a lock-box in the Main Post Office of San Francisco, California, shall be enclosed with each ballot. Said envelope must be signed by a members' own handwriting whose ballot it contains. Said lock-box shall not be opened until Election Day, and then only when the majority of the members of the Committee are present. Any candidate for office shall have the right to be present when the lock-box is opened and when the ballots are counted, and also when the ballots are mailed out.

Section 6: The local office shall give full cooperation to the Election Committee. Such records as may deal with the election shall be supplied to them upon request. All or any challenges of the right to vote must be made to the Committee before the envelopes containing the ballots are opened. Any attempt of any member to vote a ballot other than the one assigned to him will cause the ballot to be void.

Section 7: The Election Committee must mail out all ballots not less than ten (10) days before the Election Day. Any member shall have the right to see his own ballot before the same is cast on the Election Day by requesting the Election Committee for same.

Section 8: The Election Committee shall count the ballots during Election Day, at the headquarters of Local Union No. 3. The Committee shall open the envelopes containing the ballots in such a manner that the vote shall not be exposed before it is placed in the

ballot box. After the ballots are counted, the Election Committee shall report the results to the Recording Secretary, who shall report, in writing, to the President; and the President shall report the result to the Union and declare the candidates receiving the highest number of votes elected. After the ballots are counted and results announced, the Committee shall seal up the ballots and turn same over to the Trustees, who shall destroy same at the first regular meeting in September. Should the Election be protested, the ballots are to remain in the hands of the Trustees, subject to the order of the Union.

Section 9: No candidate, or member of this Union, shall send out, or cause to have sent out any circular letter of any kind whatsoever, advocating the election or defeat of any candidate except as follows: each candidate for Executive Office shall be allowed to furnish the Election Board with a letter (not to exceed seven hundred words) setting forth his own views as to fitness and qualifications for the office he seeks.

Section 10: Said letter must contain facts only and must satisfy the Election Committee as to that. The Election Committee shall include all such qualified letters, one with each ballot, mailed to each member. The candidate himself must pay to the Union the additional postage required to include his letter. Said letter must be delivered to the Election Committee, at the Union Headquarters, not later than 5:00 p.m. the fifth day after the nomination day, and no letter shall be accepted by said committee after said time.

All members should have a copy of the Constitution and By-Laws. The Constitution as amended by the 22nd convention in April of 1944 is now available. Members desiring same may have a copy of each upon request.

# Padway on labor attack

(Continued from Page 1)

of the internal affairs of labor organizations by giving to the state the right to fix and regulate fees, dues and assessments of labor unions and to control the levying of fines, and likewise to regulate elections of officers, compel detailed financial accounting, etc.

As I pointed out to you last year, if the major provisions of these bills are upheld by the courts then it will spell the destruction of free trade unionism in this country. "Voluntarism" on which trade unionism has heretofore been based, will disappear and unions will virtually become the creatures of the state.

## Colorado

In the analysis I made of the Colorado law last year I stated that this was perhaps the most vicious of all the anti-labor laws passed by the various states. It not only imposes compulsory incorporation upon trade unions but it contains every bad feature found in any of the other laws.

1. It prohibits what it terms arbitrary or excessive dues, initiation fees, and fines. It provides that the state will determine what is arbitrary and excessive.

2. It requires detailed financial reports.

3. Strikes can only be called by a majority vote of the workers in a plant.

4. A jurisdictional dispute cannot be the basis of a lawful labor dispute.

5. Employers can hire and fire as they please, regardless of seniority agreements.

6. Demand for a closed shop does not constitute a labor dispute.

7. Picketing and boycotting cannot be engaged in in furtherance of a jurisdictional dispute.

8. The law contains a "hot cargo" provision which makes it illegal to refuse to handle, install, use, or work on scab material.

9. Company unions are defined so as to make them legal.

10. A labor dispute cannot be possible between a union and a single employer such as a self-employed barber, plumber or truck owner.

11. A bargaining agent can only be elected by a majority vote of all employees; so if a majority does not appear at a meeting no bargaining agent can be elected.

Then there is a complete code of what constitutes unfair labor practices by unions, for the violation of which unions can be put out of business.

As I have already stated, when the case came up before Judge Sackman he held those provisions relating to compulsory incorporation and the regulation of the internal affairs of unions to be illegal. He upheld, however, the requirement that a majority of the workers must authorize a strike, and he upheld the provisions which prohibit picketing and boycotting unless a majority vote in favor of the strike.

The State of Colorado appealed from that portion of Judge Sackman's decision which was in favor of the unions, and the American Federation of Labor appealed from that portion of the decision which upheld the contentions of the state. Briefs were filed with the Supreme Court of Colorado, and early in September I appeared before the Supreme Court in Denver, Colorado, and argued the case. The court considered it of such extreme importance that it set aside a whole day for the argument. The Attorney General of Colorado appointed special counsel to assist him in the presentation of the case. The special counsel are well known corporation lawyers, and we are informed that the Chamber of Commerce and other employer

organizations are really the ones who engaged these lawyers to argue the validity of the law in the Colorado Supreme Court.

A decision has not been handed down as yet. The Colorado Court has in the past proved itself to be liberal in its attitude toward labor problems, and we are hopeful that it will not only sustain Judge Sackman in his holding that the provision for compulsory incorporation is unconstitutional, but that it will also reverse him in his holding that a majority vote is necessary before workers may strike or picket or boycott in furtherance of a labor dispute.

## Kansas

One of the first suits to be started was in the State of Kansas before a three-judge federal court. Briefs were filed and arguments made before the court almost a year and a half ago. Last July, however, Federal Judge Murrah, acting for himself and his two associate justices, informed all lawyers in the case that the Kansas court would not render a decision on the Kansas law until the United States Supreme Court handed down a decision in the case of THOMAS v. COLLINS, appealed from the Supreme Court of Texas and which is now pending in the United States Supreme Court. (I will discuss the Thomas case a little later on in my talk.) However, we informed the court that we would prefer to have an early decision, and we took the position that the Thomas case will not present the true issues respecting the Kansas law.

## Florida

There were two cases started in Florida, one by the Attorney General in the courts of Jacksonville in which he is plaintiff, and another by the American Federation of Labor and the Florida State Federation of Labor in Tallahassee in which they are plaintiffs.

The Attorney General, in bringing his suit, confined it to only one provision in the law—that which provides for compulsory registration by unions and business agents. In his suit the Attorney General seeks to restrain the Florida unions and the officials of the unions from doing business unless they register. I moved to dismiss the suit on the theory that compulsory registration of unions and business agents violates the Constitution of the United States. I personally appeared before Judge Lewis in March of this year and argued the motions before him.

The Judge agreed with my contentions that the law as written violated the Constitution. However, he held that he would strike down the provision which vests in a board consisting of three state officials—the governor, the secretary of state and the commissioner of education—discretion to grant or refuse licenses, and that he would command them to issue a license in every case where one was requested. Thus the Judge rewrote the law in order to declare it to be valid.

There is abundant legal authority to the effect that a judge cannot substitute his judgment of the legislature and re-write the law. We therefore appealed his decision to the Supreme Court of Florida and we argued the case before that court last month. A decision has not yet been rendered.

But there is another case pending in Tallahassee brought by the American Federation of Labor and the Florida State Federation of Labor in which all of the provisions of the Florida law are attacked as unconstitutional. The Circuit Judge in Tallahassee has simply refused to hand down a decision in the case although briefs

were filed and arguments made before him over a year ago. I think that this Judge, too, is awaiting some final decision of the Florida Supreme Court in the Jacksonville case, or of the United States Supreme Court in any of the other cases that might reach that court.

I should mention the fact that there is a third case pending in Florida and which is now before the Supreme Court of that State. In fact briefs have been filed and arguments will be made in December. That case involves the Amalgamated Association of Street and Electric Railway Employees. It involves another provision in the Florida anti-labor law—the one which prohibits workers from striking and picketing except after a vote of a majority of the employees concerned. In that case several members of the Amalgamated Street and Electric Railway Employees were arrested and convicted for picketing in furtherance of a strike which had not been authorized by a majority vote. We did not participate in the trial of the case. After the convictions were had the case was brought to the attention of President Green by President Mahon of the Amalgamated. President Green directed me to handle the case in association with local counsel in the Supreme Court of Florida.

Here again we are hopeful that we can win the case. You will recall that this is similar to the case before the Supreme Court of Oregon involving a similar law in the State of Oregon a few years ago, and that court held that a law which prohibits workers from striking and picketing without having been authorized by a majority vote, was unconstitutional in that it interfered with the right of freedom of speech. The Florida Supreme Court has manifested an extremely fair attitude towards the rights of organized labor, and we think that the Florida Court will follow the Oregon Court and hold that the convictions in these Street Railway cases are invalid.

## South Dakota

A suit was instituted by the American Federation of Labor in conjunction with the South Dakota State Federation of Labor attacking the constitutionality of the law. You will recall that when I reported to you last year I told you that the South Dakota law provides among other things that unions must file with the secretary of state annual statements of income and expenditures; also that union officials were prohibited from entering upon any ranch, farm, feed yard, shearing plant or processing plant for the purpose of transacting union business, and they were expressly prohibited from doing so for the purpose of soliciting membership in a union. The law likewise prohibited picketing in these industries and it also prohibited boycotts or interference with movement to market of agricultural commodities because the same were not produced by union labor.

Briefs were filed, arguments presented, and on June 29th, 1944, the trial court handed down a decision in which it declared all the provisions of the South Dakota law unconstitutional except Section 1 which requires the filing of financial statements. This is quite a victory for organized labor because those provisions prohibiting organizational activities, picketing, boycotting, striking, etc., were all invalidated. But even with this ninety per cent victory we have appealed from that portion of the decision which requires the filing of annual financial statements, and that appeal is pending in the courts of South Dakota.

(More Next Month)

# Spence reports conditions in Ely section of Nevada

By H. L. "CURLEY" SPENCE  
Business Representative

**Ely**—Since being transferred to Ely, I have finally been able to get a small office set up in which to handle the different crafts. You all know I am now representing Local 631 of the Teamsters Union of Las Vegas which has quite a large membership here. There is plenty of organizing to be done in order to get them straightened out properly.

I have signed one agreement for the Teamsters Union 631 with Hall Brothers Company, Inc., and the Coca-Cola Bottling Company of Ely has also agreed to sign with them.

K. M. Masden and I negotiated an agreement with Isbell Construction Co. of Reno, Nevada. We expect it to be signed Tuesday or Wednesday. We also filed a form 10 with the WLB for an increase of twelve and one-half cents per hour on Euclid type trucks.

I am now taking care of the Culinary Workers Union Local Number 141 with the help of the secretary, Mrs. Pauline Olson. We are making some progress. We have signed an agreement with the Airport Lodge and we have Tim's Drive Inn all straightened up. The waitresses there have all signed up and we are now waiting Tim's return from Idaho to sign the house card and the agreement.

The engineers that are working for Hall Brothers are very much satisfied with the agreement which was signed by the Company. The Isbell Construction Co. has two shifts on their stripping job at Kimberly, Nevada, and a large crew of heavy duty repair men in their shop. They also have two shifts on their churndrills. The snow is pretty deep up there but the worthy brothers manage to struggle through it all day and night without complaining.

The worthy brothers at the Ruth Pit are keeping up about the same pace at this writing. At present I have heard no more of the petition that was filed with the NLRB for the new hearing for the Engi-

neers in the Ruth Pit.

The monthly meeting of the Operating Engineers will be held at the American Legion Hall on the third Thursday of each month. The next meeting will be held December 21, 1944, at 8 p.m.

The AFL Union Office is located on Aultman Street, opposite the Northern Hotel. The phone number is listed under the name American Federation of Labor. The number is 297.

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## Activity in San Rafael vicinity

(Continued from Page 1)

pletion late this spring. Brother Keig Samuelson has had to step down from his supervising job at the shipyard to help with running equipment owing to our recent shortage of operators. This outfit has recently built a new wharf at their loading point at Haystack near Petaluma. They have their Monigan out of the river at Healdsburg and working on the stock pile to complete operations for the winter.

Brother Gressot, in charge of the Union Paving Company job on the Letty Tract at Santa Rosa, says that unless he can get priorities for boats he will not be able to complete this job before this summer.

John Spaletti is working a small crew in the vicinity of Santa Rosa. This also goes for Art Siri.

Brother Sam Stewart, formerly professional wrestler, picked on one a little too large and got tangled up with Onrud's cat resulting with a broken arm with two compound fractures. He will probably be off for about two months.

Brother Poyser and Brother Shaw on night shift with Lowell and Rutherford of Vallejo are completely down on account of rain on their Housing Project fill at the north end of the Vallejo yard.

A. J. Raish and their small crew with Brother Russell, superintendent, are busy on various small jobs. Brother Paysee is chief nut buster at the present time.

Cy Rebis, Fredrickson & Watson superintendent, has recently returned from a short illness and is again on the job. The job is progressing slowly on account of weather and should be cleared up in another two weeks unless extension of contracts.

Two of the seven Payne brothers who have recently been in the service have returned and are now working for the A. J. Raish outfit.

Bert Groff has been off for a few days on account of running his finger in a sausage machine.

Bill Napier with his cabbage patch is getting along nicely at Novato.

Ralph Jones, who is driving piles for Macco at Vallejo, promised he is going to butcher a few hogs and it seems like he will be carried over until spring.

Piombo Brothers have a job at Mare Island to be finished up with paving by Parrish Brothers of Benicia who are keeping a good number of our brothers busy in this vicinity. Jordan Realty keeps a small crew busy in the same district.

Casson and Ball, we hope, have floated out by the time of this report on the Napa Vallejo Highway.

Eddie Forde is still busy around the Island with the usual crew.

Basalt Yard and Quarry seem to be operating at the usual top level.

## MERMAID



Rhonda Fleming, one of Neptune's loveliest daughters, seems a bit bewildered at what's going on in this world as she steps demurely from a huge sea shell. (Federated Pictures)