EMPLOYER-EMPLOYEE RELATIONS

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duce State tax revenues by at least $50 million and within 5 years by more than $200 million annually.

This year California has remained solvent only by using most of its reserves. Proposition 17, if passed, would force a drastic reduction of State services.

The Proposition would cut the State sales tax from 3% to 2%, resulting in an annual loss to the State General Fund of over $200 million.

Proposition 17 also would change State income tax rates from the present range of 1% to 6% to a new range of 4% to 46% making California by far the highest income tax state in the nation. Based on the same total taxable income reported last year, State income tax collections would increase by $164 million. But the fantastic rates on higher bracket incomes would drive many people and businesses out of California. Indeed, under some circumstances, State plus Federal income taxes could exceed an individual’s total annual income! The measure would create a very unfavorable “business climate” in California and would make it difficult to attract new industries and to create new jobs for our increasing population.

At the lower end of the income tax rate range, collections would be decreased by $33 million. Thus, depending on the entirely unpredictable effects of this portion of the tax bill, the total increase in State income tax collections might not result in any appreciable offset against the huge loss in State sales tax revenues.

Revenue losses caused by Proposition 17 would seriously cripple programs for mental hospitals and assistance to needy children, aged and blind. The State’s share of support for our public schools would have to be curtailed, thus placing a greater share of the burden on local property taxpayers; homeowners and farmers could expect huge property tax hikes. The State, for the first time since 1911, would be faced with the need to levy a statewide ad valorem tax on property for general State purposes.

Proposition 17 would have an immediate effect on the State’s credit and its ability to sell state bonds, jeopardizing the Veterans’ Farm and Home Loan Program, the State Grant and Loan Program for Public School Construction, and the Program for Construction of State Colleges, Universities, and Mental Hospitals.

Groups and organizations interested in schools and public welfare vigorously oppose Proposition 17. Business organizations concerned with the financial stability of the State oppose Proposition 17.

All citizens interested in their own economic welfare will vote NO on Proposition 17.

CALIFORNIA FARM BUREAU FEDERATION
By RICHARD W. OWENS,
Secretary-Treasurer

CALIFORNIA STATE CHAMBER OF COMMERCE
By JAMES MUSSATTI,
General Manager

CALIFORNIA TEACHERS ASSOCIATION
By ARTHUR F. COREY,
State Executive Secretary

EMPLOYER-EMPLOYEE RELATIONS: INITIATIVE CONSTITUTIONAL AMENDMENT...

Analysis by the Legislative Counsel

This initiative measure would add Section 1-A to Article I, State Constitution. Prohibits employers and employee organizations from entering into collective bargaining or any other agreements which establish membership in a labor organization, or payment of dues or charges of any kind thereto, as a condition of employment or continued employment. Declares unlawful certain practices relating to membership in labor organizations. Provides for injunction and damage suits against any person or group for violation or attempted violation. Preserves existing lawful contracts but applies to renewals or extensions thereof. Declares that section is self-executing. Defines “labor organization.”

Employers would be prohibited from requiring any person, as a condition of employment or continuation of employment, (1) to become or remain a member of a labor organization, or (2) to refrain from membership in a labor organization, or (3) to pay dues, fees, or any other charges to any labor organization. Any person denied employment, or deprived of continuation of employment, in violation of this prohibition would be entitled to recover from his employer and from any other person, firm, corporation, association, or labor organization acting in concert with the employer, such damages as he might have sustained plus reasonable attorney fees.

All persons, firms, associations, corporations, and labor organizations would be prohibited from causing, or attempting to cause, an employer to violate any provision of the measure.

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Any employer, person, firm, association, corporation, or labor organization injured as a result of any violation or threatened violation of any provision of the initiative measure, or threatened with such violation, would be entitled to injunctive relief against the violator or persons threatening violation, and also would be entitled to recover all damages resulting therefrom.

The initiative measure would not be applicable to lawful contracts in force on the effective date of the measure, but would be applicable to any renewal or extension of an existing contract.

The measure provides that its provisions are not to be construed as denying the right of an employee to be represented in collective bargaining by a labor organization.

The measure would permit the enactment of legislation not in conflict with the measure to facilitate its operation.

A “labor organization” is defined as any organization, agency, or employee representation committee or plan, in which employees participate and which exists for the purpose: in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

Argument in Favor of Initiative Proposition No. 18

“All men should be free to elect voluntarily whether to join or not to join a labor organization. The principle of voluntary unionism provides a safeguard against the abuses which result from monopoly control of employment.” This clearly states the full intent of Proposition 18, which was urged by union members who believe in honest unionism.

Vote “YES” for Proposition 18 to protect wage earners against unfair practices by unscrupulous employers or union officers.

Vote “YES” for Proposition 18 to make union membership voluntary instead of compulsory.

Vote “YES” for Proposition 18 to write a guarantee of labor’s right to organize and to bargain collectively into the State Constitution.

Vote “YES” on Proposition 18 to guarantee greater democracy in labor union elections and make union officers more responsible to the wishes of union members.

Vote “YES” on Proposition 18 to prevent any more Dave Beck type thefts of union funds and Jimmy Hoffa union tactics.

Vote “YES” on Proposition 18 to insure sound and healthy industrial economy by strengthening the bargaining power of unions freely joined by free men.

Vote “YES” on Proposition 18 to stabilize wages, protect fringe benefits and pension funds and raise employment standards.


Vote “YES” on Proposition 18, because it is opposed by Dave Beck, Jimmy Hoffa, Frank Drewster, the Bakers’ Union, the Operating Engineers Union, the Teamsters Union AND EVERY OTHER LABOR BOSS AND LABOR UNION EXPOSED BY THE McCLELLAN COMMITTEE.

Vote “YES” for Proposition 18.

ARTHUR E. SIMPSON
Member, Local 770, Retail Clerks Union

AUGUST E. SOMMERFIELD
Former Steward, Local 170, Sheetmetal Workers Union

California Co-ordinator, Committee for Democracy in Labor Unions

HOWARD B. WYATT
Member, Local 628, Teamsters Union

Exective Secretary, Committee for Democracy in Labor Unions

Argument Against Initiative Proposition No. 18

Proposition 18, the so-called “right to work” measure, would jeopardize the economy of California and turn business and labor against one another at a time of international tension and national economic fluctuation.

National and state public leaders are overwhelmingly against so-called “right to work” laws. Among those having registered opposition are:


Spokesmen for Protestant, Catholic and Jewish faiths have joined to condemn this misnamed proposition. Among the many asking for defeat of the measure here in California are such prominent church leaders as Reverend Andrew Juvinall, Chairman, Commission on the Church and Economic Life, Northern California-Nevada Council of Churches; Most Reverend Charles F. Buddy, Catholic Bishop of San Diego; and Dr. Max Nussbaum, past president, Western Association of Reform Rabbis.

They have opposed the so-called “right to work” law as immoral and destructive. They regard it as a damaging blow at social protections built up over the years, and as a dangerous step toward loss of individual freedom.

Twenty-three states have already repealed or rejected so-called “right to work” laws. And for good reasons.

According to U. S. Department of Commerce statistics, average per capita income in California is 80 percent greater than the average in “right to work” states, most of which are in the deep South.

If California income were based on the average income of the “right to work” states, our $14 billion a year less in buying power.
This would mean lower income and profits for merchants, manufacturers and professional persons whose economic existence rests on the buying power of the consumer public.

Our American government is based on the principle of majority rule. That is the American Way. The Taft-Hartley law says that a union shop can only exist where a majority of employees have chosen the union as a bargaining agent. That, too, is the American, democratic way.

This misleading “right to work” law would create controversy and chaos in industrial relations by destroying collective bargaining contracts covering close to two million workers. It would destroy a competent and stable labor force and lead to higher plant costs, lower productivity, lower incomes, decreased profits, a depressed economy and a “deep South” standard of living.

It could destroy management-labor welfare and pension plans which now protect more than one million Californians and their families and which add so greatly to the economic welfare of every other Californian.

Back in 1944, the voters of California decisively defeated a so-called “right to work” measure. Now, once again, this dangerous legislation is before them. Once again, public leaders of the state and nation are against so-called “right to work.”

Eisenhower, Stevenson, Nixon, Kuchel, Brown, Knight, Warren and all the others know, as informed businessmen and economists know, that “right to work” will ultimately destroy the economic stability and strength of California.

These men know, as legislators, educators, jurists and religious leaders know, that “right to work” is an evil masquerade, hiding an attempt to destroy unionism by a few selfish people, whose real and self-seeking desire is to create a cheap labor market. Don’t turn back the economic clock. Don’t destroy the maturity in collective bargaining which enlightened labor and management have developed in California. Don’t vote for low incomes, hatred and discord.

Vote NO on Proposition 18.

BENJAMIN H. Smail, President
Fairmont Hotel Company, San Francisco
CHARLES J. SMITH, Director
District 38, United Steelworkers of America, Los Angeles
C. J. HAGGERTY, Secretary-Treasurer
California State Federation of Labor
In applying the above schedule to determine the tax of a taxpayer with one or more dependents, there shall be subtracted from his adjusted gross income four hundred dollars ($400) for each such dependent.

(b) For the purpose of this section—
(1) "Married person" means a married person on the last day of the taxable year, unless his spouse dies during the taxable year, in which case such determination shall be made as of the date of the spouse's death.
(2) "Dependent" means a person who is a dependent under Section 17182.
(3) An individual not a head of a household or a married person shall be treated as a single person.

SECTION 5. The tax rates established by Sections 1 and 2 of this act may be lowered by the Legislature, but the Legislature shall not have authority to increase them above the rates set by said Sections. The power to amend or repeal Sections 3 and 4 of this act is reserved to the people by the vote of the electors.

SECTION 6. If any section, subsection or clause of this act is adjudged unconstitutional or invalid, such adjudication shall not affect the validity of the remaining portion of this act. It is hereby declared that this act would have been passed, and each section, subsection, sentence or clause thereof, irrespective of the fact that any one or more sections, subsections, sentences or clauses might be adjudged to be unconstitutional, or for any other reason invalid.

SECTION 7. The amendments made by Sections 3 and 4 of this act shall be applied only in the computation of taxes for taxable years beginning after December 31, 1957.

EMPLOYER-EMPLOYEE RELATIONS. INITIATIVE CONSTITUTIONAL AMENDMENT. Adds Section 1-A to Article I, State Constitution. Prohibits employers and employee organizations from entering into collective bargaining or other agreements which establish membership in a labor organization, or payment of dues or charges of any kind thereto, as a condition of employment or continued employment. Declares unlawful certain practices relating to membership in labor organizations. Provides for injunction and damage suits against any person or group for violation or attempted violation. Preserves existing lawful contracts but applies to renewals or extensions thereof. Declares that section is self-executing. Defines "labor organization."

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YES

NO

(This proposed amendment does not expressly amend any existing section of the Constitution, but adds a new section thereto; therefore, the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

PROPOSED AMENDMENT TO ARTICLE I

Section 1-A.
(1) All men should be free to elect voluntarily whether to join or not to join a labor organization. The principle of voluntary unionism provides a safeguard against the abuses which result from monopoly control of employment.
(2) It is hereby declared to be the public policy of California that the right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor organization.
(3) Any agreement or combination between any employer and any labor organization whereby persons not members of such labor organization shall be denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, is hereby declared to be against public policy.
(4) No person shall be required by an employer to become or remain a member of any labor organization as a condition of employment or continuation of employment by such employer.
(5) No person shall be required by an employer to abstain or refrain from membership in any labor organization as a condition of employment or continuation of employment by such employer.
(6) No employer shall require any person, as a condition of employment or continuation of employment, to pay any dues, fees or other charges of any kind to any labor organization.
(7) No person, firm, association, corporation or labor organization shall cause or attempt to cause any employer to violate any of the provisions of this Section.
(8) Any person who may be denied employment or be deprived of continuation of his employment in violation of paragraphs (4), (5) or (6) or of one or more of such paragraphs shall be entitled to recover from such employer and from any other person, firm, corporation, association or labor organization acting in concert or in concert with such employer, by appropriate action in the courts of this State, such damages as he may have sustained by reason of such denial or deprivation of employment, together with reasonable attorney fees.
(9) Any employer, person, firm, association, corporation or labor organization injured as a result of any violation or threatened violation of any provision of this Section or threatened with any such violation shall be entitled to injunctive relief against any and all violators or persons threatening violation, and also to recover from such violator or violators, or person or persons, any and all damages of any character resulting from such violations or threatened violation. Such remedies shall be independent of and
dition to the remedies prescribed in other provisions of this section.

(10) The provisions of this section shall not apply to any lawful contract in force on the effective date hereof but they shall apply in all respects to contracts entered into thereafter and to any renewal or extension of any existing contract.

(11) Nothing in this section shall be construed to deny the right of an employee to be represented in collective bargaining by a labor organization.

(12) The provisions of this section shall be self-executing but legislation not in conflict herewith may be enacted to facilitate its operation.

(13) As used herein, "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(14) If any of the provisions hereof, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this section, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.