

Bracero Extension Battle Shifts to Senate Floor

In the face of House approval of a two-year extension of the bracero importation program without modification and recent Senate Agricultural Committee reporting of an extension bill containing only minor reforms, labor's battle to curb widespread abuses in the Mexican farm labor importation law (Public Law 78) has shifted to the floor of the Senate.

Floor debate on the Senate version is expected to begin in the coming week.

The Senate measure, which bears the number of the House-passed bill, HR 2010, combines a two-year extension of Public Law 78 with some minor reforms, but leaves out the most important reforms proposed by Democratic Senator Eugene McCarthy of Wisconsin.

Even the McCarthy reforms are considered minimal by labor, religious and citizen groups fighting for improvements in the bracero law.

As the Senate version is taken up on the Senate floor, McCarthy will lead a fight for amendments incorporating the basic reforms of his bill which were defeated in the Senate Agricultural Committee.

Labor and liberal forces maintaining close contact with the Senate situation are stressing the vital importance of all interested groups and individuals immediately writing their senators, urging them to support the McCarthy amendments.

(Continued on Page 2)

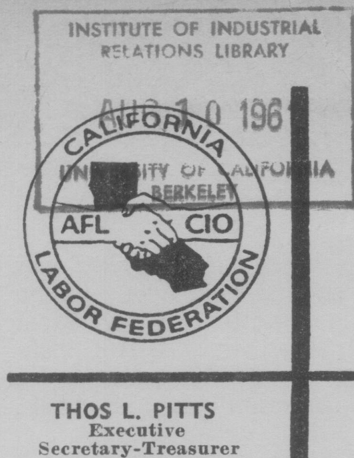
New Consumer Laws Signed by Governor Brown

Helen Nelson, Consumer Counsel for the state of California, released this week a review of major consumer measures passed by the 1961 session of the legislature and signed into law by Governor Edmund G. Brown.

The new laws, although a modest beginning, reflect a growing recognition of some of the basic interests of consumers in many areas of legislation heretofore largely ignored by the state legislature.

This enactment by the 1961 session stems directly from the creation of the Office of Consumer Counsel under the Brown Administration and the tireless efforts of Consumer Counsel Nelson, supported by organized labor, the Association of California Consumers, and other active consumer-oriented groups and individuals.

The following is Helen Nelson's



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151

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Social Security Health Benefits for the Aged Gets Solid California Labor Backing

California labor's solid backing of health care benefits for the aged through social security was carried to Congress this week in a statement submitted to the Ways and Means Committee of the House of Representatives by Thos. L. Pitts, secretary-treasurer of the California Labor Federation, AFL-CIO.

Pitts' statement, endorsing the Kennedy Administration's proposal in the King-Anderson bill (HR4222), was submitted as a "supplement" to AFL-CIO President George Meany's recent presentation before the committee. It emphasized California's vital stake in Congressional action on the long-delayed social insurance measure.

According to the state AFL-CIO leader, "even a wealthy state like California" cannot meet its moral and social obligations to senior citizens without utilization of the social security mechanism as a means of providing adequate health care for the aged as a matter of right and with dignity.

In relating to the House unit the hard-hitting statement of policy

adopted unanimously by the 2,000 delegates representing more than 1.3 million AFL-CIO members in the state at the Federation's 1960 convention, Pitts presented an array of California figures as an indication of the magnitude of the aged health care problem in the state:

1. The 1960 Census found 1,360,000 Californians at least 65 years of age, increasing at the rate of 40,000 annually.

2. Of the more than 1,400,000 senior citizens in California in 1961, about 570,000 are at least 75 years of age, including 190,000 who are over 85. Pitts said that a clear reflection of the higher health care needs of this group is seen in the fact that Californians over 75 years of age experienced about 89 days of disability compared to 25 days for those in the 45-54 age range.

3. Although the state's elderly group represents 9 percent of our state population, they receive only about 3.6 percent of our income through the Social Security System and private pension plans.

4. The most recent survey of the Department of Public Health disclosed that 70 percent of Californians over 65 reported some type of illness during the survey period, over three-fourths being chronic in nature.

5. The Public Health Department survey revealed also that California's senior citizens were hospitalized more than twice as much as the rest of the population, their

summary of the new state consumer laws:

Health and Safety

Enables the state Department of Public Health to pick up where the federal Food and Drug Administration leaves off in safeguarding users of cosmetics in California against adulterated or misbranded cosmetics. (SB 621 — Senator Fred S.

(Continued on Page 2)

(Continued from Page 3)

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(Continued from Page 1)

Senators should be asked to vote against any extension of Public Law 78 if it does not contain the amendments Senator McCarthy will propose.

Here are the details of the situation:

On July 18, the Subcommittee on Agricultural Research and General Legislation of the Senate Agriculture Committee met. Despite the efforts of Senator Phillip Hart (D., Mich.) who led the fight for the McCarthy bill in the subcommittee, a bill offered by Senator Everett Jordan (D., N.C.) was approved. This bill was cleverly worded, but carried no real reform; in fact, some sections probably would have been retrogressive.

The next day, the full committee met. McCarthy led the fight for his bill. The retrogressive parts of the subcommittee bill were taken out. The committee agreed to the following changes in Public Law 78: (1) Mexicans may be used only for temporary and seasonal employment; (2) domestic workers will get wages comparable to those paid to Mexicans; (3) Mexicans may not be used for the operation or maintenance of power-driven machinery.

The committee did not approve the most important of the reforms. It did not approve the amendment (1) requiring that braceros must be hired at the state average farm labor wage or the national average farm labor wage, whichever is the lower, (2) permitting the Secretary of Labor to limit the number of braceros an individual grower may employ, (3) requiring the payment to domestic workers of benefits (other than wages) comparable to those paid to braceros, such as comparable housing, free transportation, work guarantees, insurance, etc.

It is obvious that the Senate Agricultural Committee has rebuffed the most important and most meaningful of the reforms.

Trade unionists and interested individuals are urged to write Senators Clair Engle and Thomas H. Kuchel, as well as Eugene McCarthy, expressing support of the McCarthy amendments and categorical opposition to any extension of the

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(Continued from Page 1)

Farr; co-author: Assemblyman John T. Knox)

Requires labels of hazardous household substances to contain the product ingredients and the most effective antidote in case the product is eaten or applied to the skin. (AB 266 — Assemblyman Edwin L. Z'berg)

Put California laws regarding color additives in foods and drugs on a par with federal regulations. (SB 412, 413 — Senator Hugh M. Burns)

Sales Tax Collection Reforms

Corrects long-standing abuses in sales tax collections by:

1. Establishing for the first time an official sales tax collection schedule.

2. Requiring all taxable items sold in one transaction to be totaled and the sales tax applied to the total, except where taxable and non-taxable items are sold in the same transaction; then the sales tax has to be applied to the total price of the taxable items only if the customer so requests. (AB 1769—Assemblyman Bert DeLotto)

Assures that all the money you pay as sales tax reaches the state by requiring that if a retailer collects from a customer sales tax on a non-taxable item or more sales tax than is due on a taxable item, the amount so collected shall be returned to the customer if possible or, if not, paid over to the state. (AB 2518—Assemblyman John T. Knox)

Protection for the Homebuyer and the Investor

Strengthens laws governing second trust deed financing, particularly for subdivisions. Curbs "10% second trust deed" operations. Clarifies the jurisdiction of the Real Estate Commissioner. Requires that each second trust deed be for a specific piece of property. (AB 1344 — Assemblyman Richard T. Hanna)

Creates the Governor's Advisory Commission on Housing Problems. (AB 814—Assemblyman George E. Brown)

bracero law without their adoption.

Communications should be addressed to the Senators at the Senate Office Building, Washington, D.C.

Medical Care Costs and Insurance

Repeals the state sales tax on prescription drugs. (AB 60—Assemblyman William Byron Rumford; co-author: Senator Hugo Fisher)

Requires each hospital, medical, or surgical insurance policy to contain on its face a complete list of benefits provided and authorizes the state Insurance Commissioner to establish minimum benefits for such policies and to refuse approval of policies which do not meet the minimum. (AB 571 — Assemblyman Ronald Brooks Cameron)

Protection in the Marketplace

Strengthens the Unruh Retail Credit Sales Act to deal with referral sales and other credit sales abuses. (AB 2319 — Assemblyman Jesse M. Unruh)

Increases the possible penalties for wilfully forging or counterfeiting a trademark. (AB 3075—Assemblyman Charles W. Meyers)

Regulates prepaid service contracts of health and dance studios. Outlaws lifetime contracts. Requires payments to be completed within two years and services to be provided within seven years from the contract date. (AB 506—Assemblyman Edwin L. Z'berg)

Puts auto warranties under the regulation of the Insurance Commissioner by defining as automobile insurance any contract of warranty or guaranty which promises service, maintenance, parts replacement, repair, money, or any other indemnity for loss or damage to a motor vehicle or its parts. (AB 1133—Assemblyman Thomas M. Rees)

Requires poultry meat sold in whole carcasses to be labeled with the name of any spoilage retardant compound added to the poultry to retard or limit spoilage. (AB 2237—Assemblyman James R. Mills)

Reinforces our state laws on unfair trade practices and anti-trust actions. The Attorney General has been conducting a vigorous campaign against unfair trade practices, and enactment of these bills gives him the necessary tools to protect consumers from unfair pricing practices. (AB 890, 891, 892, 893, 894, 898 — Assemblyman Edwin L. Z'berg)

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(Continued from Page 1)

average hospital visits being 17.4 days in duration compared with 10.3 days for those under 65. For those over 65 undergoing some type of home nursing care, the rate was 65 per 1,000 persons as compared with only 5 per 1,000 for younger people. Physician's visits were also found to be twice as numerous for the aged group as for those below 65, and the incidence of the more expensive home visits by a physician was much more frequent.

Against this backdrop of facts, Pitts commented at length on the gross inadequacy of the "medical indigent" approach of the Kerr-Mills medical care program enacted by Congress last year in lieu of the social security approach of the Forand bill.

The 1961 session of the California legislature, Pitts pointed out, enacted the Rattigan-Burton Act (SB 325) to take advantage of the 50 percent federal matching funds under the Kerr-Mills medical care program (M.A.A.) to extend limited medical assistance to the chronically ill aged.

While commending the legislature and the state for taking this action, Pitts pointed to its many inadequacies in terms of the total problem.

Although the potential coverage of this public assistance approach is broad under the California program, its benefits are narrow, providing for payment of medical expenses only after the first 30 days for persons in hospitals or nursing homes, or receiving home care, with authority given to the state Welfare Board to reduce its ceiling to 21 days.

Because of limited funds available to the state, the effective inauguration date of the M.A.A. program was delayed for 3½ months. Normally legislation enacted in the 1961 session becomes effective September 15, 1961, but the M.A.A. legislation has an effective date of January 1, 1962.

Pitts quoted these figures to pinpoint its many shortcomings: Of the 1,360,000 persons in California over the age of 65 in 1960, about two-thirds, or 869,000, had incomes of \$2,000 per year or less. Of this

869,000, some 252,000 presently receive state Old Age Security benefits, thus receiving medical care benefits under this categorical aid program.

This leaves 617,000 aged persons with incomes of less than \$2,000 a year, of which an additional 92,550, or 15 percent, are estimated to be disqualified from the new M.A.A. program by property ownership, thus leaving a balance of approximately 525,000 who qualify for potential benefits under the state's effort to implement the Kerr-Mills "medical indigent" bill.

Pitts pointed out that for the balance of fiscal year 1961-62 (the program begins January 1, 1962) there would be a total of \$27 million to be expended for "medical indigent" benefits. Allowing for projected increase in the aged population, this was interpreted to mean that an average of only \$8.21 per month is available for potentially eligible aged individuals under the program—an amount equal to only 54.8 percent of the amount available for medical care to O.A.S. recipients during fiscal year 1961-62. Pitts added that the \$8.21 average allotment will increase to \$11.90 in the next full fiscal year, but this is still less than 80 percent of the amount available for medical care to O.A.S. public assistance recipients.

The state AFL-CIO leader emphasized that the new "medical indigent" program in California will help meet a particular need, especially for those over 65 who do not meet the five-year residence requirement necessary to receive O.A.S. and who will not be covered by social security if the Anderson-King bill is passed by Congress.

"It should be abundantly clear," Pitts said, "that the 'medical indigent' program will fall far short of meeting the most pressing needs of California's elderly population."

Without provision for defraying any of the expenses incurred during the first 30 days spent in hospital or nursing home, or receiving care in the home, Pitts added that the purpose of social insurance in the health care field will be largely defeated because of the discouragement of seeking early medical

FEP Commission Moves On Teacher Discrimination

California's FEPC has written to all of the state's school boards and administrators to emphasize its concern over the problem of discrimination in the employment of teachers.

A considerable number of cases have been docketed with the Commission—wrote Chairman John Anson Ford—by teachers alleging discrimination on the basis of race, religion, or national origin. In some cases, he wrote, the allegations were unfounded; in others corrective action was taken.

Some districts have consistently followed a practice of merit employment, the Commission's letter said, pointing out the benefits of adding qualified teachers of minority identity who have the training and skills that make for effective teaching.

Excellent work is being done through cooperation with the State Commission on Discrimination in Teacher Employment and its executive secretary, Mr. Wilson Riles, the Commission said. But a survey conducted by Mr. Riles less than two years ago found only 16.2 percent of districts employed Negroes.

All school districts were urged to keep these considerations in mind as they hire teachers for the years just ahead. Mentioned among practices which violate the Fair Employment Act were:

—Not hiring qualified minority teachers because there are few or no pupils of the same group identity.

—Assigning minority teachers only or predominantly to schools with children of the same group.

care before an illness or other infirmity develops into the acute stage.

In pressing for immediate Congressional action, Pitts noted that enactment of the modest Anderson-King bill would make possible significant liberalization of California's program implementing the Kerr-Mills bill of last year.

Pitts concluded:

"It is only by combining the social security approach in the Anderson-King bill with the M.A.A. program that even a wealthy state such as California will be able to expand its M.A.A. program to provide for an adequate level of care

(Continued on Page 4)

FORM 3547 REQUESTED

New Encyclical Draws Meany Praise

AFL-CIO President George Meany, in a recent AFL-CIO News editorial, gives high praise to the new social encyclical issued by Pope John XXIII.

Updating the teachings of earlier Popes for the nuclear age, the encyclical deals with new social problems confronting mankind and sounds an urgent call for aid to developing nations, not only as to duty of justice and charity, but also as an essential safeguard to world peace.

Following a "liberal approach" to problems of industrial economics, the papal encyclical supports a high degree of government intervention for the sake of social welfare, devoting major attention to problems of agriculture as well as to population problems and labor-management relations.

Meany's editorial reviewed the encyclical within the framework of the "great opportunities and the grave dangers so characteristic of our times." The AFL-CIO leader noted that although humanity now possesses a scientific knowledge and technical know-how for eliminating poverty, ignorance and illness, the transmission of this knowledge to struggling nations seeking national freedom and economic progress is endangered by "hypocritical forces . . . of the new Soviet colonialism."

Meany said that it is against this backdrop of developments that the social encyclical must be viewed.

Meany praised the encyclical as follows:

"Its calm analysis and constructive proposals for meeting such complex problems of our times as socialization, the elimination or reduction of economic imbalance within countries and the urgency of just relations between nations in different stages of economic development will attract much support among peoples of all faiths.

"Labor everywhere will be deeply impressed by the encyclical's rejection of the belief held in certain

quarters that 'socialization, growing in extent and depth, necessarily reduces men to automatons.'

"In view of what has been happening behind the Iron Curtain, free labor throughout the world will welcome the conclusion of Pope John XXIII that 'socialization can and ought to be realized in such a way as to draw from it the advantages contained therein and to remove or restrain the negative aspects.'

"Even the most 'rugged individualists' will have to see the soundness and justice of the encyclical in stressing that 'private enterprise must contribute to effect economic and social balance among the different zones of the same country' and that 'public authorities . . . must encourage and help private enterprise, entrusting to it, as far as efficiently possible, the continuation of the economic development.'

"The social encyclical will arouse fervent approval, especially in the developing countries, for its forthright and sound consideration of 'probably the most difficult problem of the modern world . . . —the relationship between the political communities that are economically advanced and those in the process of development.' We are confident that the peoples of the free world will view with full favor the indisputable conclusion of the encyclical that:

"'Given the growing interdependence among the peoples of the earth, it is not possible to preserve lasting peace if glaring economic and social inequality among them persists. . . . We are all equally responsible for the undernourished peoples. Therefore, it is necessary to educate one's conscience to the sense of responsibility which weighs upon each and every one, especially upon those who are more blessed with this world's goods.'

"Wherever labor is free to express its own opinion, it will hail the encyclical's eloquent plea for

Social Security

(Continued from Page 3)

for those who would remain outside the social security program.

"Our experience in California is conclusive on this point: Enactment of the Anderson-King bill would make it feasible for California to assume its full responsibility for financing a more comprehensive medical care program under M.A.A. for those who would remain dependent on the public assistance approach to medical care. Certainly, we should do everything possible to keep the public assistance cost to a minimum where we have the opportunity to provide medical care for the aged with the dignity offered by social insurance."

The entire California delegation in Congress received copies of the California Labor Federation presentation before the House Ways and Means Committee. Their active support was urged in securing early action by Congress this year.

social justice and its insistence that the 'workers should be paid a wage which allows them to live a truly human life and to face up with dignity to their family responsibilities.' The international free trade union movement will certainly not fail to see the significance of the encyclical's forceful support of the worker's right to an effective voice in the running of industry and public economic planning.

"The social encyclical should have a most salutary effect on the ranks of free world labor. It should go a long way toward removing the debris of prejudice left over from the lay-clerical struggles of the nineteenth century.

"Once the air is thus cleared, a most serious obstacle to the greater unification of free labor, especially in Europe and Africa, shall have been removed. Such higher free world labor unity was never more urgent than it is today when the Soviet imperialist threat to human freedom, national independence and world peace is so grave."