

WHAT TO DO WHEN YOU GET BURNED BY THE PRESS

*How to fight back
effectively and win better
news coverage for your union*

by

MATT BATES



Center for Labor
Research and Education
Institute of Industrial Relations
University of California at Berkeley

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YOUR RIGHTS AS A NEWS SOURCE

- ☑ You have the right to be quoted correctly.
- ☑ You have the right to accurate, balanced coverage.
- ☑ You have the right to be treated with respect.
- ☑ You have the right to have errors acknowledged and corrected by the media, in the media.

It's Going to Happen

Well, you did it! You got tired of being ignored by the press. You decided to reach out to the media and get some attention for your union.

Then, you got *burned*! You got misquoted. Facts got twisted around and now you feel terrible.

"Why did I ever talk to those #@%*s?" you wonder.

Well, bad press happens to everyone, so don't let it throw you. Above all, don't start running from the press.

It's like playing football — you expect to get hit. And when you run for union office, you expect some flak.

The trick is how to *deal* with it. This booklet will show you how to fight back, effectively — in ways that will turn the tables, and make the press work for *you*.

A Lesson from an Employer

Look at how one major aerospace company handled some of the worst press coverage imaginable.

The company's main product was causing airplane crashes all over the world. Company officials were under investigation for over-charging the government, and workers were dying due to dangerous chemicals in a company plant.

This was front page news — all at the same time! But the company public relations man was always available, at home or at work, to talk with reporters, answer questions, and arrange meetings.

He *never* stopped getting out the company's side of the story. He would even call reporters before they called him!

The company couldn't undo the damage. They couldn't put the airplanes back in the sky. By staying available and responsive, however, the company built up a reservoir of trust and good will with the press that lasted long after the crisis had passed. The company understood that there are steps to take to limit the damage from bad press coverage and, possibly, to turn things around — even in the *worst* of times.

What Went Wrong?

When you get burned by the press, don't fly off the handle. Don't make a bad situation worse. Take a deep breath and ask yourself, honestly, what went wrong? Then *fix* it.

Did YOU mess up?

Ask yourself: did you or someone in your union make a mistake? Did you say something in public you shouldn't have said? Did you confide in a reporter you shouldn't have trusted, or release information you should have withheld?

You can't blame the press for writing that a union



official called his own top negotiator a moron. You can't fault the press for broadcasting that a union official predicted massive layoffs at an important local plant.

So if you messed up, what do you do? You *learn* from your mistakes.

Think before you speak. Don't let anyone rush you. Take a minute to jot down some notes before talking to the press. Outline what you want (and what you *don't* want) to say.

If you're not sure how to answer a question, tell the press you're not prepared to comment at that time. Tell them you need a few minutes (or however long you do need) to consider how to respond. And make sure you *do* respond.

Control your press contacts. Make sure only designated people (one person is best) speak *officially* for the union. You want to keep your story consistent. You don't want a dozen people giving different answers to the press.

At the same time, rank and file members can be a highly effective *unofficial* voice for the union. Workers speaking from the heart about dangerous conditions and long hours, for example, make convincing and powerful statements — especially on TV.

Know when you're “off the record” — and what that means.

Make sure both you and the reporter clearly understand when you are to be quoted or identified by name.



You can control this if you and the reporter agree on the ground rules *before* you talk.

Off the record. Once you start talking “off the record,” nothing you say should be used. The reporter must obtain the information from someone else. Suppose you go “off the record” and explain to a reporter that management has hired a union-busting law firm for the upcoming negotiations. The reporter cannot use that information until he or she tracks down and confirms the story using other sources. Even then, the reporter must never reveal you as a source.

Not for Attribution. If, however, you and the reporter agree that your remarks are “not for attribution,” the reporter is free to print the story immediately, but is honor-bound to withhold your identity. For example:

“Company XYZ has hired an anti-union consultant, a source close to the negotiations said Tuesday.”

This is the most common way of leaking information to the press.

Remember, set the ground rules *before* you talk to a reporter. Once you say something, it's too late to ask that your remarks be treated as "off the record," or as confidential information.

Don't go off the record or confide in a reporter unless you've dealt with that person for some time and have developed some trust in them.

Corrections and Clarifications

A surprising amount of damage can be repaired by calling reporters to "clarify" or correct things you said that got you in trouble.

Don't be shy about it. How often have Reagan's aides, or Quayle's, issued statements "clarifying" dumb things their bosses said?

The important thing is to set the record straight, and the press is usually willing to give you a shot at doing it.

Here's an example of a "clarifying" statement:

A union spokesman today termed his earlier predictions of massive lay-offs "a worst case scenario" and said union and company officials "are working hard to stabilize employment" at the plant.

You can even limit the damage caused by calling your chief negotiator a moron. Arrange for the two of you to appear together with reporters, declare your confidence in each other, and joke about your differences.

Eat a little crow to survive. Politicians do it all the time, and they seem to live forever!

Did the Media Mess Up?

Respond according to the nature and seriousness of the problem.

Factual errors

Minor errors of fact. Ask yourself, honestly, how big was the error? People who are involved in an issue can get all worked up over things that don't matter to the press and public.

A reporter might write, for example, that a judge will issue a decision when, in fact, an arbitrator will. Or



that mechanics in your local are unhappy when, in fact, it's the machinists who are upset.

Such mistakes can cause real flak inside a local. But no one outside the local cares one bit, so act accordingly.

A short "non-angry" telephone call or letter pointing out the error to the reporter will do. For minor mistakes, don't demand a printed retraction or correction. Save that for the big stuff. (See below.)

Don't go over the reporter's head and contact the editor about minor errors unless the reporter is consistently making mistakes and making people nervous with their sloppy reporting.

The important thing is to point out even minor errors of fact. Because news organizations rely on their own files for information for future stories, uncorrected errors tend to be repeated over and over again.

Major errors of fact. Insist that major factual errors be corrected at once. Most newspapers print corrections and clarifications on page two or three. (These are prominent pages.) Radio and TV stations announce corrections during regular news broadcasts.

Suppose a newspaper reported, falsely, that your membership was shrinking. A correction might read:

The *Times* on Monday incorrectly reported the membership figures for Union District 1000. The District has 10,000 members, an addition of 2,000 members during the past year.

You may write a letter to the editor pointing out the mistake. But do not submit a letter as a *substitute* for a printed correction or clarification unless you have an

ironclad promise that the letter will be printed immediately, with a note from the editor directly below the letter acknowledging the mistake was made.

Most newspapers, however, do not promise to print letters to the editors, and they reserve the right to edit letters as they see fit. There is often a waiting period of days or even weeks before letters appear in print.

In a letter to the editor, try to sound cool and in control. If you can make your point with humor, so much the better. Angry outbursts make you sound like a crackpot to most readers, and do you more harm than good.



Misquotes

Misquotes are very serious business. As a rule, reporters shouldn't change a word you say without your prior approval.

In the real world, however, reporters (with good intentions) often string together sentences or phrases to get a strong, usable quote. This can be all right. It can work

to your advantage, but it carries some genuine risks, as well.

Make sure a reporter knows that *you* know they have altered your remarks, even when the changes are modest or helpful. Knowing that *you* pay attention keeps reporters on their toes.

Never let reporters get away with a misquote that hurts you. *Never* let them harm you by putting words in your mouth.

It's often impossible to prove you've been misquoted. It becomes a matter of your word (or memory) against the reporter's.

You have the right to run a tape recorder (or to have someone take shorthand notes) when you speak to the press. If you do this, you should tell the press you are taping the conversation, especially if it's a telephone conversation.

Reporters should not object to the use of tape or verbatim notes, and it will certainly make them careful when they quote you.

Taping or taking shorthand during press conferences is fairly routine.

Taping or transcribing one-on-one conversations, on the other hand, will make you seem a bit paranoid. It's probably not worth doing this unless you've had serious problems with a particular reporter, or unless the subject you're discussing is very sensitive.

If you have evidence that you were misquoted (tape recordings, notes, witnesses) and if the issue is impor-

tant enough, present the evidence to the reporter and editor and demand a retraction.

Some reporters will read your quotes back to you before printing them in a story. But they are under no obligation to do so, or to change the quotes if you object.

Remember, whatever you say to the press is fair game. Even “off the record” remarks may come back to haunt you.

Just be careful, that’s all. Think before you speak, and choose words that say what you want to say.

Quotes out of context

This gets tricky. Suppose you say, “Union and management work out our differences pretty well. Some of the managers here are a bunch of anti-union Hitlers, but they’re coming around.”

The next day’s quote? You guessed it: “The managers here are a bunch of anti-union Hitlers.”

What to do?

Get on the phone and chew out the reporter. Tell him/her that lifting that part of the quote clearly distorted the entire point of the conversation. If you’re not satisfied, talk to the editor, too.

If the flak generated by the quote is severe enough, tell the reporter or editor you wish to clarify your remarks in a follow- up story.

Write a letter to the editor objecting to the story and

stating your union's true relationship with the company.

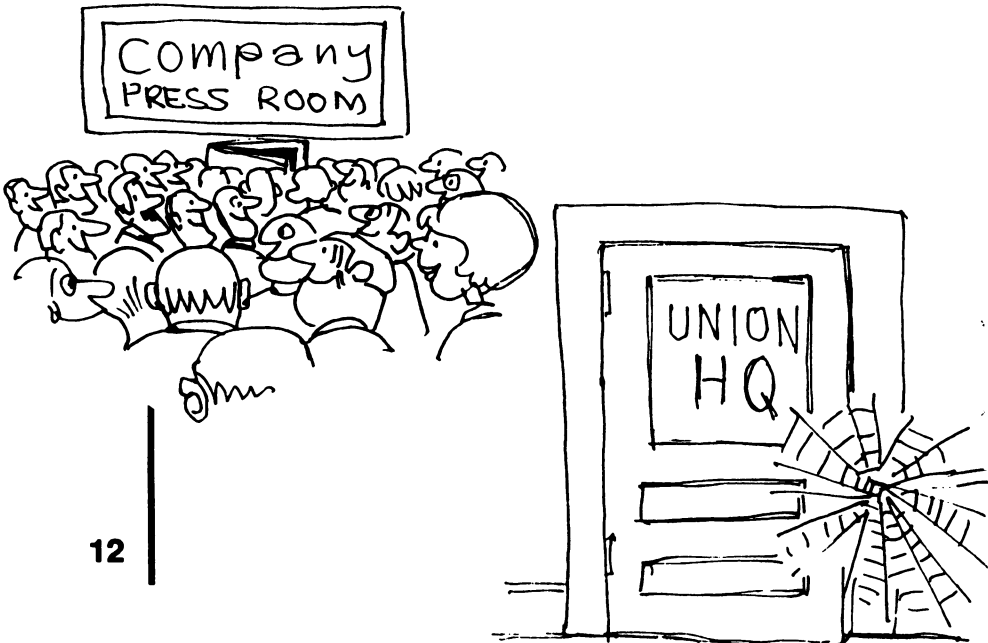
Consider taping or taking notes the next time you talk with the reporter.

And in the future, be careful about handing the press juicy little quotes that can so easily be lifted out of context.

Imbalanced reporting

This happens so often, unions hardly notice anymore. Think about it: most newspapers have a special business section and most TV and radio stations carry business shows. How many labor sections or union programs have you seen?

Union folks are almost *never* asked to comment in business stories. But stories about unions almost al-



ways include a quote or two from management — for “balance,” of course.

A balanced story does not mean five quotes from the company and one (or none) from you. It doesn't mean 50 seconds of air time for management's side, with a 10-second rebuttal from the union.

Balance means reporters should report and investigate all sides of a story.

Suppose an article appears on the “economic woes” of an employer during negotiations. Did the reporter ask for the union's view of the company's financial health? Did they ask you for relevant data? Did they use it? Did they treat your position with the same seriousness and depth they gave to the corporate types?

If the reporter failed to do any of these things, he or she was guilty of imbalanced reporting.

Imbalance in major stories. Complain loudly and forcefully if your side is ignored or given cursory treatment in major stories of immediate concern to you and your members: negotiations, lay-offs, NLRB charges, health and safety conditions, for example.

Take up the dispute with the reporter *and* his or her editor. It is the editor's obligation to guarantee balanced reporting.

Before you complain, document the problem.

Look at the article(s) or video clip(s) in question. Count the number of paragraphs, quotes, or seconds of film footage presenting business' side and labor's side. Now, you can argue in measurable terms that one side got more attention than the other.

Document important information (research materials, interviews, etc.) that was available to the reporter but that was not pursued or used in the story. Demand to know why the information was ignored and withheld from the public.

Demand that a follow-up story be done at once, presenting the union's side of the issue — or, at least, presenting both sides in an even-handed way. Make sure that the information and comments you want included in the story are ready for the reporter.

Write a letter to the editor protesting the imbalanced story or stories. Have your members and supporters flood the newspaper with letters, too.

Imbalance in minor stories. The union's side should be presented in any stories that affect you and your members, even indirectly. Corporate types are constantly quoted in stories about technology and automation, the "state of the economy," education, the environment, and other big issues of the day. Why should workers and their unions be ignored?

Quietly but firmly, insist that unionists, labor economists, and workers be approached for comment every time such stories appear.

Make sure reporters know that you want to talk. Make sure they can reach you, and that you have some useful comments, information, or tips to share when they call.

Don't *wait* for the press to call you. Feed them tips. Put out press releases.

You are a valuable source of hard-to-get information on plant expansions, new technologies, health and safety, lay-offs, and other major stories. Once the press under-

stands that, they'll treat you better, and give you much better coverage.

Balance extends to the entire publication. Don't forget the "small stuff" that is so important because so many people read it: announcements of picnics, promotions, meetings, food drives, etc.

Most newspapers carry one- or two-paragraph blurbs, announcing someone's promotion to vice president of a firm, Rotary meetings, and Lion's Club picnics.

Send in short announcements of union elections, appointments, meetings, food drives, and so on. Follow up and make sure they get printed.

Such items put your union's name before the public in a regular, positive way. That, too, is balance.

Don't expect equal treatment in every single story. Feature stories, in particular, typically focus on one person or one organization. But week to week, news coverage should balance out.

And every major "hard" news story should be balanced. *Without exception.*

Disrespectful treatment

Here's a special problem for unions.

"Union chief." "Union boss." "Big Bob" Jacobs.

You *never* see corporate leaders addressed by their nicknames, or called "big shots" or "chiefs" in the news.

Don't let yourself be publicly demeaned by the press. It cheapens you and your union in the public's eye.

Immediately, firmly, and with dignity correct the reporter and the editor: "My name is Robert Jacobs and I'm the elected president of Union Local 5000."

Make sure the press has your proper name and title, and make sure they use it. A good rule of thumb: reporters should write your name the way it appears in your checkbook.

Sensational or inaccurate headlines

A reporter writes a nice, accurate story, but the headline is totally off the wall! And you cry and scream because you know that most people read only the headlines, and skip the stories. And you're *right*! Headlines carry a lot of weight.

Don't scream at the reporter. Reporters don't write headlines. Generally, copy editors do, and most of them



know nothing about the stories. It's a dumb system, but most newspapers do it that way.

If a headline contains a major error of fact, call up the copy editor's boss (it will most likely be the news editor or managing editor) and demand an immediate clarification or correction.

If a headline is simply misleading or sensational, call up and complain to the news editor or managing editor.

Write a letter to the editor, pointing out the incorrect, misleading, or sensational headline.

Misleading and wrong aren't the same thing. Suppose your members vote to strike if they don't get a pay raise, and the next day's headline reads, "Union Demands More Money; Threatens Disruption."

The headline is sensational, but it isn't wrong.

An incorrect headline, on the other hand, might announce (wrongly) that the union is not seeking a pay raise, or that the members did not authorize a strike.

Negative editorials

Reporters don't write editorials. Editors do.

So, don't scream at the reporter when you get slammed in an editorial. And don't judge a reporter by his or her editor.

Many decent reporters work for union-hating editors. Many news organizations run decent labor stories back to back with anti- worker editorials or cartoons.

Editorials express the *opinions* of the editor and pub-

lisher, and the rules of balance and accuracy don't apply.

When you get burned by an editorial, respond with letters to the editor. *Flood* them with letters.

Consider writing a guest editorial (sometimes called an "op ed") presenting your side of the issue.

Many TV and radio stations also provide time for listeners to broadcast their views on recent editorials, or on matters of strong public interest. Station personnel will often coach and assist you when you appear on radio or TV.

Editors are *born* stubborn, and you're not going to change their mind. But you *can* get their attention and, if you are stubborn enough, gain their respect.

Negative TV

When unions appear on TV, there's almost always a crowd or picket line, filling the picture with motion and noise.

The message? Chaos. Confusion. Disruption.

But corporate types usually appear in a quiet office, with soft lighting, book cases, and plants.

The message? Cool. Thoughtful. In charge.

That's no accident. Many employers know that, on TV, the picture is everything. On TV, the picture, not the story, is mainly what people remember.

Now you know it, too.

So, set up a nice-looking corner in your union hall for TV interviews. A simple desk in front of book cases or a plain blue drape will do.

That's where you'll address the TV crews when they arrive.

Of course, TV crews will go out to picket lines, so make sure your members treat them politely and avoid disruptions while the press is there.

You can't blame the press for wanting exciting pictures.

It's up to *you* to plan ahead and set up pictures that will show you and your union in the best possible light.

Levels of Retaliation

When to go over a reporter's head

Don't do this lightly. No one likes people to file complaints with their boss. Try your best to straighten-out problems directly with the reporter involved.

Try to understand that most reporters are green when it comes to labor. They don't know a steward from a lead man; an arbitrator from a judge.

Use that to your advantage. Patiently school them. Help them through their mistakes. Do it right and you'll have



better reporting from someone who trusts and respects you — someone who owes you a few favors.

But if you're dealing with a reporter who refuses to learn; who is consistently sloppy, biased, insulting, or inaccurate, then call up the editor.

Before you do, document the problem. Have specific dates and examples in hand. A good editor will stick by a reporter until it is clear that the reporter is screwing up.

When to stop talking to a reporter or news organization

Never say never. But shutting-off the press is a drastic step that should *almost never* be taken.

Don't shut-off a reporter (or, still less, an entire news organization) if you are simply unhappy with the coverage you're getting. Ask any politician, celebrity, or even business leader and you'll find very few who are very happy with the press.

Punishing a reporter. Consider shutting-off a reporter when the trust between the two of you has been clearly and irreparably damaged: when a reporter has knowingly printed lies and denied you a chance to respond, for example, or knowingly printed off-the-record remarks, or revealed you as a confidential source after promising not to do so.

Document your case and go directly to the editor. The editor may discipline, fire, or re-assign the reporter.

You may get an apology and a pledge from the editor

that the reporter will never repeat the mistake. Then, it's your call whether to give the reporter a second chance.

But don't forget, the *editor* decides who to hire, fire, or assign. If you refuse to deal with a reporter and the editor keeps that person assigned to your union, you run the risk of shutting-off communication with that entire news outlet.

A wiser course might be to continue dealing with that reporter but in a limited way, being careful not let them close enough to any big stories to do any serious damage.

At the same time, you can punish biased or unfair reporters by feeding timely tips and information to their competitors.

Shutting-off an entire news organization. This should only be done when there's no hope of obtaining balanced, accurate coverage. The LaRouche group's papers fall into this category. So do KKK and Nazi rags.

But such examples are extremely rare.

Sometimes picketing or boycotting a newspaper or broadcast house can help win better coverage. But these cases are also rare and such drastic steps should only be a last resort.

If you shut-off the press, only the employer's side of the story will be told, and it's a flat-out guarantee that you'll get smeared. Ninety-nine times out of 100, you should deal with the press, take your lumps (and give a few lumps!), and battle for balanced, accurate coverage.

Suing the Press — Slander and Libel

"I'll sue 'em!" Now, *that* sounds like a satisfying way to "get even" with the press!

The First Amendment protects freedom of speech. It *does not* give the press the right to damage your reputation by printing (or broadcasting) false statements, or statements unsupported by facts — particularly not when such statements are *intended* to hurt your reputation or cause emotional pain.

You have the right to sue in such cases, under the laws governing libel, slander, and defamation of character.

This booklet is no substitute for professional legal advice. If you think you've been libeled or slandered, consult a lawyer.

But before you decide to "sue 'em," ask yourself a few tough questions.

Will a lawsuit focus *more* attention on the smears and lies?

Was the damage caused by the negative story *really* bad enough to warrant the added publicity — not to mention the extraordinary time and money it costs to go to court?

Do you have a realistic chance of winning? Remember, U.S. law grants the press considerable freedom to say what it pleases.

A few examples

Suppose your union is running low on funds and a local newspaper writes (or quotes a management representative as saying),

Local President John Doe has looted the treasury. Doe is a thief.

Or suppose, in the middle of a strike, an article states,

Doe advocates violence against workers who cross the picket line.

If the statements are false and not supported by any facts, Doe could sue, and there's a good chance he'd win. (In the example charging embezzlement, Doe almost certainly *should* sue.)

The press is legally responsible if it publishes libelous or defamatory statements by the company or other parties. And in every story, reporters and editors must make a reasonable effort to collect the relevant facts.

Now, suppose a newspaper wrote,

Local President John Doe views pornography in his home.

Doe can sue (particularly if the story is false) because the activities in question have *nothing* to do with his "public" union activities. The press invaded his privacy. It's nobody's business what he reads or watches outside of his union duties. (A lawsuit, however, would amplify the original porno charges.)

Doe's "public" life, on the other hand, is pretty much fair game. The press can say almost anything it wants without fear of being sued, unless Doe can *prove* the

press *knew* the statements were false and printed them anyway. And that's hard to prove.

It ain't easy...

In real life, the kinds of clear-cut cases of libel, slander, or defamation of character we've just described are rare.

News stories almost never *directly* accuse you of illegal or immoral acts. Generally, they do it in more round-about ways.

Most news stories focus on some aspect of your "*public*" life. And in the eyes of the law, when you undertake "public" duties you invite public comment on your actions and job performance; you give up certain rights to privacy.

In the embezzlement case, for example, a newspaper might write:

Noting that District 1,000 is running out of funds, a company spokesperson said, "The members should demand an investigation. The union never had financial problems before. It makes you wonder what Doe is doing with the money."

Or a reporter might write:

Many members question the honesty of Doe's administration and wonder where their money has gone.

The article might offer some figures on the district's financial woes.

In the "advocating violence" example, a reporter might write:

Many strikers want to return to work but say they are scared of District President John Doe. Doe is seen as a labor tough, ready to fight in the streets to get his way.

See the problem?

It's easy to publish false or hurtful statements, or to twist the facts without breaking the law.

And it's very difficult (often, it's impossible) to sue and win.

Libel and slander laws offer some important protections, and they help keep the press in line. But lawsuits are rarely the easiest or the wisest way to deal with bad reporting.

An Ounce of Prevention

Some simple steps can prevent many problems from occurring in the first place.

Meet the press before the stories (and big problems) arise.

Start today. Find out the names of the major (and minor) newspaper, TV and radio reporters in your area who cover labor. Find out who their editors are.

Make appointments to meet them. You should know them, and they should know you.



Educate the press.

Bring them information about your local, district, and international union. Bring copies of your local and national newsletters, and put them on your mailing list.

Give the press the proper names, titles, and telephone numbers for yourself and for other leaders of your union, so they can contact the proper people when the need arises.

Supply fact sheets on your union, and about major issues important to your members. Short, clearly-written, typed fact sheets are a big help to reporters writing on tight deadlines, who have little understanding of labor. (*See Appendix A*).

Educate yourself about the press.

Find out the *name* of the person to whom you should address your press releases. Don't just mail them to the newspaper or to the news station, where they'll get lost with the hundreds of other letters that pour in every day.

Find out when their deadlines are, and the best times to call with important stories.

Learn their organizational structure, from the publisher and editor-in-chief (if they have one) to the news editors, copy editors, and reporters. (*See Appendix B and C*.)

Read or listen to their editorials regularly to learn the

editor's opinions and attitudes. It's easier to present your case well if you understand the editor's thinking.

Educate the public through the press. Use letters to the editor and guest editorials to address all sorts of topics, not simply the problems directly facing your members. Demonstrating your concern for problems faced by others builds community-wide support for your union.

Write about positive things, too. If you write only to complain or criticize, you'll sound like a nag.

Play the Press Game: Play to Win!

Approach the press with an open, confident, tough-minded attitude. The press needs us, and we need them. So we deal with each other.

Sooner or later, you **WILL** get burned by the press. But you won't get burned as often if you keep your head, and learn as you go.

Hang in there and you'll learn how to fight back, fix your problems faster, and limit the damage. You'll learn how turn the tables, and use the vast power of the media to *your* advantage.

To survive and grow, our unions must win the battle for the hearts and minds of the American people. This booklet was designed to help you reach the public more often, with a better, clearer, more positive message.

And the more you succeed in doing that, the stronger your union will become.

APPENDIX A: Sample Fact Sheet

IAM BACKGROUND INFORMATION SHEET IAM

IAM NEGOTIATIONS WITH THE XYZ CORP.

Press Contacts:

Susan Brown (308) 333 - 5550
President
Directing Business Representative
IAM District 5000
Rolling Ridge, Nebraska

Mike Grey (308) 333 - 5551
Editor, Rolling Ridge News
IAM District 5000
Rolling Ridge, Nebraska

Some Essential Facts & Figures

The IAM has represented XYZ workers since 1946.

The current three-year contract expires October 22, 1993.

Contract covers 8,000 workers at the following locations:
Rolling Hill, NE; Huntington, KS and Bigelow, IA.

The IAM's top elected officer involved in negotiations is Susan Brown, District 5000's president and directing business representative.

Skills and trades of the union members include: aircraft assemblers; missile technicians; machinists and machine operators; mechanics; tool, die and gauge makers; plumbers; sheet metal workers; electronic technicians; electrical assemblers; shipping clerks; painters and carpenters.

The five-member union negotiating committee was nominated and elected by the union membership in secret ballot proceedings.

Other major aerospace negotiations involving the IAM in 1993 include Boeing Co., Lockheed Corp. and McDonnell Douglas Corp.

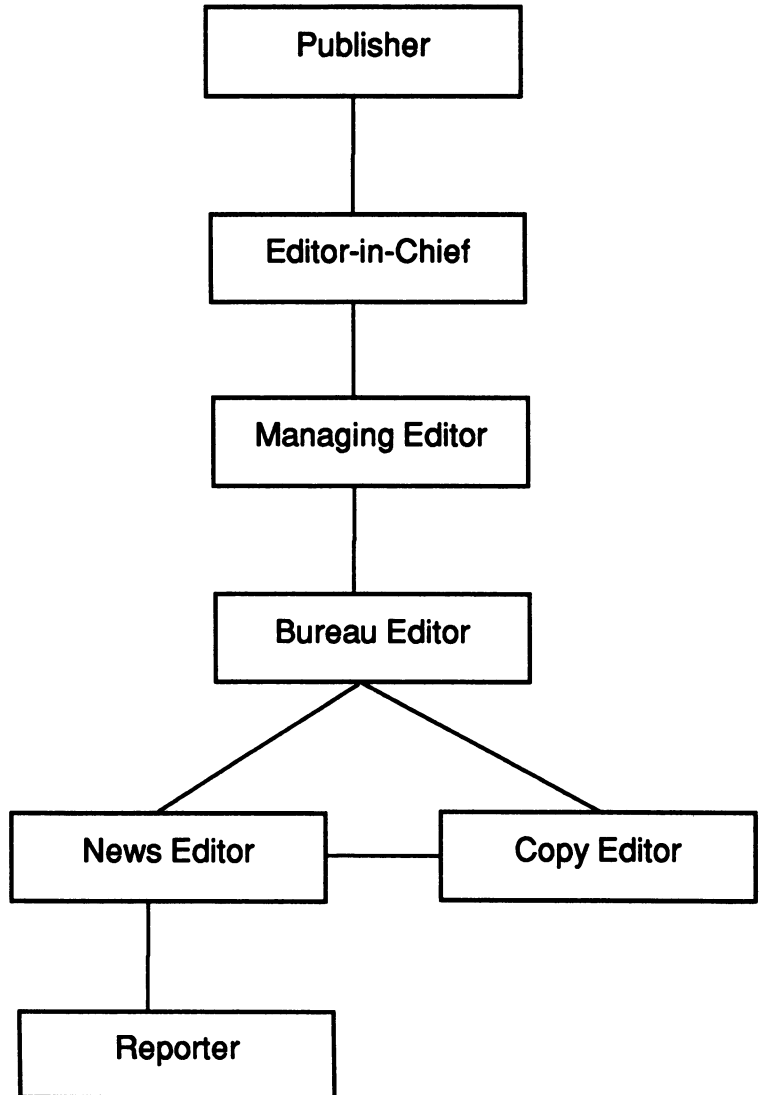
With 850,000 members in the U.S., Canada, Puerto Rico and the Panama Canal Zone, the IAM is the ninth-largest labor organization in the AFL-CIO/CLC.

The IAM represents more than 135,000 workers in the aerospace industry, including rocket, satellite, missile, airframe and jet engine production.

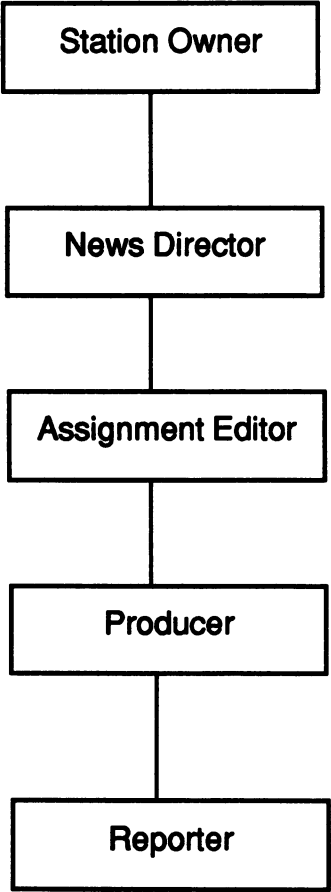
Founded 1888, the IAM is one of America's oldest unions.



APPENDIX B:
Typical Organizational Structure
of a Newspaper



APPENDIX C:
Typical Organizational Structure
of a TV News Department



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