

What Happened

Continued from page 1

– by raising professional standards – would benefit the Journal as well.

That view, we quickly learned, was not shared by Journal management. Let me share with you a bit of what we confronted as we struggled to unionize.

Our campaign began in early July of 2002, when some of us at the Prince George's paper contacted the Newspaper Guild for information. A union representative helped us organize a series of informal meetings, held after work in homes and restaurants, where we learned what Guild membership might mean. Reporters at the Montgomery Journal soon jumped on board, and an effort to unionize Montgomery staffers began.

Those leading the effort at each paper encouraged co-workers to attend these informal meetings and to sign cards expressing their desire for union representation. We passed out literature. We exercised our legal rights. I can't speak for everyone, but to me the process was exciting, liberating and consciousness-raising. I began to think about the possibilities: imagine having the right to sit down with the newspaper owner and negotiate a contract. Imagine having a say in workplace conditions, health insurance benefits.

Not surprisingly, I suppose, Journal management wasn't as pleased as I was at these prospects. Upon learning of our efforts – of which they were apparently kept informed by vigilant editors – they responded as many anti-union employers choose to respond: in August they hired two "labor consultants" – also known as union-busters – from New York to dissuade us from organizing.

In an Aug. 20 management-organized group meeting of editorial employees, these consultants – introduced simply as "Randy and Andy" – feigned sympathy with our plight. Yes, things had been bad at the newspapers but everything was going to get better. Unionizing would be a bad idea, because a New Day was on the Journal horizon. Did we want cable TV? Did we want to stop having to punch in and out on time clocks? Did we want "a voice in the corridors of power"?

Such enticements were presented as real possibilities. But bringing a union on the scene, well, that could muck things up for this cozy new relationship, we were told.

Of course, our new-found friends were unaware, that day, that we had already col-

lected union cards from more than 75 percent of our co-workers – well over the 30 percent required for an election where employees could vote on whether to join the Guild. And a week after Randy and Andy's visit, the Guild gave our cards to the National Labor Relations Board, which scheduled a hearing to determine who would be eligible to vote.

I testified at this September hearing, where top level Journal editors and lawyers were present. I'll never forget sitting in the witness chair and being asked by a Journal attorney as he shoved a piece of pro-union literature across the table, "Did you write this?"

Though the question was quickly ruled out of order, I clearly recall the creepy McCarthyistic feeling of "witch hunt" that question evoked in me.

By then, management's campaign to dissuade Virginia workers from unionizing had taken another turn: some Northern Virginia Journal reporters were suddenly given pay raises; no Maryland reporters were.

In early November, Journal management surprised us with an announcement that offices in Prince George's and Montgomery would close in a month. The papers would henceforth be produced out of the Northern Virginia headquarters in Alexandria, and Maryland reporters who wished to continue working for the Journal would have to make the move.

Undoubtedly to Journal management's unpleasant surprise, everyone from Maryland agreed to relocate. But relocation changed the landscape of an election, so attorneys for both sides agreed that Virginia reporters would also be included in a vote, which was scheduled for Dec. 12 in Alexandria.

Throughout November, with relocation giving us little time now to waste, we stepped up our efforts to spread the union word to Northern Virginia Journal reporters, where interest was heating up. We phoned them. We made house calls. We got cards signed.

Then Journal management played its Ace.

At around 5 p.m. on

Dec 2, a week before the alleged relocation was to occur and a mere 10 days before the scheduled election, Journal management fired the entire news reporting staff of the Prince George's Journal and, with a single exception, the entire news reporting staff of the Montgomery Journal.

The Guild – realizing the unfair and dramatically chilling impact our illegal firings would have on any election – quickly got the vote called off and filed unfair labor practice charges against the Journal. The National Labor Relations Board subsequently agreed that those charges had merit and issued a complaint, similar to an indictment in criminal cases, against the Journal.

After nine months of a legal and public campaign to win justice, we have reached a tentative agreement with the Journal – an agreement which is in the process of being finalized.

Our experience sheds light on the disturbing array of management responses that can occur when employees attempt to unionize.

But the continued commitment of the Newspaper Guild and the support of all kinds of people in the community served as invaluable encouragement in our struggle. We were especially heartened by and appreciative of the courageous support of public officials, some of whom are here this evening.

(Gervasi delivered these remarks at a Montgomery county community hearing July 31st to examine obstacles workers face when trying to organize.)



At a Montgomery County Workers Rights Community Hearing, fired-while-organizing Prince George's Journal reporter Susan Gervasi, Comcast workers, parking lot and building maintenance workers were among those who testified about the obstacles workers face when trying to exercise their right to form unions. Panelists at the July 31st hearing at the Wheaton Community Center included Montgomery County Council members George Leventhal and Tom Perez; Dutchy Trachtenberg, president of NOW's Maryland chapter; and leaders of the Coalition for Asian Pacific American Democrats; Casa de Maryland; the Union of American Hebrew Congregations, and the Bethesda United Methodist Church.

The Journal Voice

*Published by the Journal Employees Organizing Committee and
The Washington-Baltimore Newspaper Guild*



Vol. 1, Issue 10

202.785.3650 • www.wbng.org

August 5, 2003

Fired Journal Newspaper Writers Win Lost Pay, Notice From Publisher

By Calvin G. Zon

Journal Voice Editor

Journal Newspapers Publisher Ryan Phillips has agreed to pay a total of \$71,500 in lost pay and benefits to eight former Prince George's Journal and Montgomery Journal employees who were fired last December while attempting to organize a union.

In a pre-trial settlement with the Washington-Baltimore Newspaper Guild, the Alexandria-based newspaper agreed to pay the fired reporters and editorial assistants 80% of the back pay—plus interest, 401(k) contributions and health insurance reimbursements—that they would have received had they remained at the newspaper since their December 2nd firing. Back pay is reduced by earnings received by those employees who were able to find other jobs since their dismissal from the Journal.

In addition, the settlement includes payment of 4% raises received last August by employees of the Northern Virginia Journal, but not by employees of the two Maryland Journals. The Newspaper Guild and the National Labor Relations Board had charged that the raises illegally discriminated against employees whom the employer believed were trying to form a union.

Phillips also agreed to post notices at the Journal, and to mail the same notices to current and former employees, stating that

management will not interfere with employees' rights under federal law to form a union.

The union, later joined by the federal labor board in an unfair labor practice complaint it filed May 29th, charged that the firings and the closing of Journal newsrooms in Lanham and Rockville, Md., were motivated by the employer's determination to thwart his employees' effort to unionize.

The workers were fired, without any notice or severance, 10 days before a scheduled union representation election, which the labor board called off at the union's request. The Guild argued that management had rendered a fair election impossible because of the unfair labor practices committed and the fear spread among employees of the Northern Virginia Journal by the firings of union supporters at the two Maryland Journals.

The union last August asked the labor board to conduct an election for the editorial employees at the two Maryland Journals. But after Phillips announced in early November that he was closing the two Maryland newsrooms, allegedly to cut costs, the union agreed to an election that would include at least 35 editorial employees in Northern Virginia.

The labor board's May 29th complaint, issued by its Region 5 Director Wayne R. Gold, proposed a remedy that included Journal reinstatement of the fired workers

with back pay and reopening of their closed offices in Lanham and Rockville. The case had been set for a July 21st hearing before a labor board administrative law judge. In lieu of reinstatement, fired workers who had not found other jobs and were willing to return to the newspaper received from the Journal a payment of \$1,000 on top of their back pay award.

The notice the Journal agreed to post and mail to employees states that "without admitting that it committed any unfair labor practices in violation of the Act...the Journal recognizes that the National Labor Relations Act gives employees these rights: to organize; to form, join or assist any union; to bargain collectively through representation of their own choice, and to act together for other mutual aid or protection."

Reciting a list of unfair labor practices that the Guild and the labor board had accused it of committing, the notice states that Journal management "will not interrogate, discourage or coerce employees by soliciting grievances from employees; will not create the impression that employees' union activities are under surveillance; will not close and/or consolidate offices to discourage employees from organizing; will not terminate employment of employees because of their support of and activities on behalf of the Guild; will not fail to provide raises to employees because of their support of the Guild."

What Happened When We Tried to Unionize the Journal

By Susan Gervasi

Journal Voice Staff Writer

Just about this time last summer, reporters at the Prince George's and Montgomery Journal Newspapers – myself included – were in the midst of a union organizing campaign.

The Maryland Journals, you may be aware, are part of a chain of suburban Washington papers which include the Northern Virginia Journal, published in Alexandria.

Some of us at the Maryland papers believed that becoming part of the

Washington-Baltimore Newspaper Guild – a respected union which represents hundreds of reporters at the Washington Post, Baltimore Sun, and other prestigious publications – would be good not only for us as reporters but

Continued on page 4

Settlement At The Journal

Nine months after being summarily dismissed for exercising their legal right to form a union, eight employees of the Prince George's Journal and Montgomery County Journal have won a measure of justice. It wasn't quite the justice they deserved, nor was it the full remedy proposed by the National Labor Relations Board (NLRB).

Yet it can be celebrated as a partial victory, and even incomplete victories are welcome in the context of an imperfect world and a very imperfect system of federal law that governs worker-employer relations in the United States.

Unfortunately, the firing of the Journal employees wasn't an especially unusual occurrence in the land of the free and the home of the brave-where bravery is, sad to say, a necessity for most wage earners who seek a voice at work by organizing a union.

In one out of four organizing efforts in the U.S., employers illegally fire at least one worker. To keep their workplaces "union-free" when workers seek collective power, three out of four employers bring in high-priced "consultants" to advise them

and subject their employees to captive-audience meetings. This was the script followed by Journal Publisher Ryan Phillips.

Although the 1935 National Labor Relations Act spells out the unqualified right of employees to organize unions and bargain collectively, the law's penalties for lawbreaking employers are relatively weak and the process of obtaining redress through the NLRB typically takes months and even years.

That is why the Washington-Baltimore Newspaper Guild and the fired workers agreed to a settlement that set aside what promised to be a long and treacherous legal process.

The kind of reform needed to put sharp teeth into the nation's labor laws and to speed up the slow NLRB process has made little headway over the years, and the party that now controls the Congress and the White House has been shifting workers' rights into reverse, as exemplified by overtime pay exemptions and stripping union protection from Homeland Security workers.

This is why workers and their unions in recent years have been enlisting the sup-

port of community, religious, political and other allies in their struggles to organize and win a measure of justice for workers whose rights have been trampled upon.

On this score, we express our thanks and appreciation for the support we received from the Montgomery County Council and County Executive, the Prince George's County Council, the Jewish Labor Committee, Jews United for Justice, the Metropolitan Washington AFL-CIO, the Northern Virginia Central Labor Council, Virginia State Senator Leslie Byrne, and Northern Virginia Jobs With Justice.

Without this support, we could not have moved a stubborn and virulently anti-union employer to accept a decent settlement agreement.

With the help of the Newspaper Guild, the Journal workers waged a diligent struggle--from the picket line, to county government chambers, to the production of *The Journal Voice*.

The Guild stands ready to fight for workers seeking to exercise their right to a voice on the job.

Montgomery to Hold Energy Assistance And Energy Saving Expo September 12

By Marti Moore

Journal Voice Staff Writer

Montgomery County residents can learn about and apply for financial help with gas, electric or heating fuel bills at an energy assistance exposition Friday, Sept. 12 in Silver Spring.

From 11 a.m. to 7 p.m., the Montgomery County Department of Environmental Protection will show consumers how to save money through low-cost and no-cost energy efficiency measures in the Gwendolyn E. Coffield Community Center at 2450 Lyttonsville Road.

Almost a thousand people attended the expo last year, when it was first held in Rockville, according to event organizer Rebecca Soubra. Up to 4,000 low-income residents received assistance last year with

their energy bills, she said. Residents who qualify also can apply for help through other resources such as the Electric Universal Service Program, weatherization and rental assistance, as well as child care subsidies.

Each applicant must present photo identification, Social Security cards for all household members, proof of income in the last 30 days and energy bills. Renters also must bring their lease and homeowners must present their mortgage invoice.

The expo offers the general public valuable information on energy conservation and county services. Soubra hopes that folks in need will attend the event to learn about available public assistance resources.

"A lot of times people feel uncomfortable

about applying for assistance," said Soubra, a program specialist with the Montgomery County Health and Human Services Rental and Energy Assistance Programs. The expo, she said, is designed to put low-income residents at ease and provide them with an enjoyable learning experience. Activities will be offered to children who attend the event.

Admission and parking are free. Public transit users can take the Ride-On bus Route 2 to the community center, which is near the Silver Spring Metrorail Station on the Red Line. Call the Montgomery County Office of Home Energy Programs at (240) 777-4450 or the Energy Assistance Expo information line at (301) 565-7462 for details on income eligibility guidelines.

Journal Hung Up The Phone On Its Workers, But Fired Writers Hang Strong Together

By Robert Woodruff

People appear to be flocking to sign up for the national "do not call" list that is intended to shield one's hearth and home (and cell, maybe) from unsolicited solicitations. As of last week, 28 million and counting.

Most of these people are clamoring to get on this list because they don't want their privacy invaded, especially when (in the classic scenario) they have just sat down to a dinner that will get cold while they fend off still another offer of a free vacation or aluminum siding.

Right?

Well, maybe. But maybe you, like me, keep hearing and reading of people who want to get on this list so that they won't have to come up with any more excuses.

"We've already got some, thanks."

"My husband/my wife makes those decisions in our household and he's/she's out of town."

"Our mortgage is already paid off, thanks." (in our dreams).

More than we would like to admit to ourselves, we know there are working folks on the other end of that phone line who would rather be home at their own dinner tables. And who may be getting, and sounding, more wan and desperate as the no-thank-yu's pile up and the day's commission begins to look like the chump change it is.

Many of us just don't have the heart to take out on the boiler-room captive our outrage at their bosses who would super-spam the phone grid with unwanted come-ons. We are amazed at our own politeness and the lengths (and lies) to which we will

go to avoid saying just, "No" (slam). We'd love to do that to the scumpreneur who put them up to it, but that party is hiding behind a roomful of victims.

So the do-not-call list is a refuge from polite hypocrisy.

The phone-solicitation business may be the scuzzy end of the communication spectrum, but it's part of the plenum of messages, sought and unsought, that make up our info world.

Some claim there is a small audience out there whose lives are so empty that the phone solicitation is welcome, a friendly voice emerging from a blank-faced world. True or otherwise, that tale cautions people like us, the media workers, never to feel too sure of our audience and what it needs.

It's an awkward admission, but people on the news side of the media biz, like us laid-off types at the Maryland editions of *The Journal* and our surviving colleagues in Virginia, are in love with the news mission and even think we know what the audience needs. News. So in addition to the very real pain of no paycheck since last December, we are hurting to see *The Journal* in its present incarnation and (speaking perhaps only for myself) get twitchy keyboard fingers when we see events go uncovered that we just KNOW you, the audience, needs to hear about.

That's why *The Journal Voice* was born.

That's just to say that we're in love with the mission of providing the news, and get irritated when anything gets in the way. That's one reason that it wasn't until the 1930s that newsroom folks founded the Newspaper Guild, the union with which *Journal* reporters sought affiliation and

representation. Reporters, like teachers, are possessed of a real or delusional sense of mission that means you have to treat them pretty badly before they'll think about organizing a union.

We newsies don't think of ourselves so highly, mind you, that we don't notice the resemblance between ourselves and the boiler-room workers who interrupt your dinner in order to put dinner on their own tables.

They have no control over the message they bring. We have considerable control over the message, in collaboration with our colleagues and supervisors - hence the love of the mission - but we are still working stiff.

So we're glad to see that *The Journal*, in its settlement with the Newspaper Guild, has been forced to acknowledge that there are right and wrong ways to handle boss-worker issues. In its letters to past and current editorial employees, the *Journal* acknowledges that federal law backs the right of employees to bargain collectively for a level of workplace decency that, as individuals, we would not dare even ask for.

The *Journal's* grudging enlightenment, expressed in this week's agreement, comes too late to satisfy the mission craving for most of us. But it's gratifying, and we hope readers will demand the excellence of coverage from the enlightened *Journals* that they deserve.

We like to think you wanted us at your dinner table.

Woodruff was formerly the opinion page editor of The Prince George's Journal.

Try On Some Vintage Clothing At Beall-Dawson House Tour

By Marti Moore

Journal Voice Staff Writer

Clothing accessories fashionable in the 19th and 20th centuries are on display through Oct. 5 in the "Frippery 'n Finery in Dress" exhibit at the Beall-Dawson House in Rockville.

Frippery is an old-fashioned term to describe essential wardrobe accessories for men and women. Hats, shoes, gloves, fans and handbags are examples of frippery. Karen Yaffe Lottes, education director

of the Montgomery County Historical Society, said visitors can try-on some of the vintage clothing items, such as lace collars.

"People love the hats," she said. Admission is \$3 and includes a tour of the Beall-Dawson House. Built in 1815, this federal-style home is a museum in downtown Rockville at 103 West Montgomery Ave. Hours are Tuesday through Sunday from noon to 4 p.m. Call the Montgomery County Historical Society at (301) 762-1492 or visit their Web site at www.montgomeryhistory.org.