

Respondents' Exhibit No. 31

Meeting

(Walt Disney Studio, Central Labor Council, Screen Cartoonists Guild Representatives)

6-11-41

For the Guild:

Phyllis Lambertson
Murray McClellan
Ken Petersen
Howard Baldwin

Central Labor Council:

Mr. Buzzel
Mr. Blix
Mr. Sherman

For Walt Disney Studio:

Walt Disney
Roy Disney
Gunther Lessing
Bill Garity

Meeting held in Walt Disney's office - 4:40 P.M.
Reporter: Elsa Timmner

MR. BUZZELL:

Mr. Disney -- the meeting you had yesterday -- I don't know anything about what took place except in a general way, and very frankly, I presume the meeting was for the purpose of seeing if we couldn't facilitate what we had already been discussing. We are here -- Mr. Sherman, Mr. Blix, and myself -- as a committee representing a Central Labor Council, which is the entire American Federation of Labor union movement in the City of Los Angeles, because we have had officially laid before the Central Labor Council a complaint of the Cartoonists Guild against this corporation, and the fact that there is a strike there and a petition to put the firm and its products on the official unfair list for the labor movement, under our law we are required to make every possible effort to reach an amicable, acceptable settlement of the difficulties before we take that kind of action.

There are several trades involved who have refused to work back of the picket line, and who are observing the picket line of the Cartoonists with whom the strike started, and necessarily, in all of the negotiations, we must take into consideration all of the unions involved.

For that reason we have in our previous discussions talked about the whole plant so far as organized trades are concerned ... people who are working at occupations here who are not of organized trades and who are not participating in the strike -- I mean the unions who are not participating in strike -- we are, to all intents and purposes, proceeding as though they didn't exist here. That is, we are not taking them into consideration.

NATIONAL LABOR RELATIONS BOARD

CASE NO. 2104
EXHIBIT NO. 31

IN THE MATTER OF

DATE 10/14/41 WITNESS

ETHEL E. FISHER SPECIAL REPORTER

BY

Walt Disney

WFO

R + 31

2/47

2/47

2/47

~~MR. BUZZELL:~~

Now, I think we have reached agreement in principle upon everything but two points. Our proposal is that the concern sign a blanket contract which commits it to a closed union shop for all of the trades that it employs, and with the unions of those trades and that it will immediately go into negotiations for the purpose of putting into effect a standard working contract with each of those unions. We don't ask you to sign something you haven't seen, but we want to guarantee that it will not be any more more burdensome than a contract with the same union with other employers doing the same type of work. In other words, it would be a standard contract with the union.

The two points, or rather, you own commitment is that everything outside the cartoonists are standard trades - standard unions that are known and whom you know. I think you'd have no difficulty, no hesitancy in signing that contract because it's a thing you eventually need anyhow. But that the cartoonists were, as an organization, new -- and they are not established and there weren't many, and there was no reservoir or union the same as with your lamp operators, property men, photographers and so forth and so on, and that there were a number of people here, most of which you yourself or this corporation had trained, and that a number of them didn't want to belong to the union or had indicated they didn't want to by refusing to, and who are not now on strike and are working, and that for that reason you wanted an election, preferably through the National Labor Relations Board.

We told you then, and tell you again now, that the Union feels that an election is not necessary, won't accomplish anything, and we have reported back jurisdiction -- keeping the faith on your part with men and women still in here, if you proved through some election process that a majority were members of the union and the minority had to go along. We have agreed to recommend to the union, and did so, and by common consent at least -- (I didn't act as an official) -- it was accepted that we agree first upon the classifications -- jobs -- that are involved under the title or caption "cartoonists" or "artists" in all the degrees of it from the very beginning up to the highest, and that we would submit a certified list of our membership by name to an impartial person and you submit your payroll with names for the same classifications to the same party. We are confident that the occupations -- classifications -- that are involved here, and which are involved in the strike, that we have the majority, and so far as face-saving and good faith, that would be just as good, and the Labor Board gives it the same certificate or "diploma" as you would if you had an election.

I thought -- and I think all three of us on the committee that are here today -- we went away feeling that you were reconciled to that. Then there came another question, about putting all the people back to work as of May 15th. First you said there were one or two you didn't want back, but aside from that you couldn't use all of them. Now we told you the last time we were here that your term -- that is, you were talking in terms of how many out in the picket line you could use, and we told you we couldn't con-

MR. BUZZELL:

sent to that and it was out of the question entirely; that the people out on the picket line couldn't be picked over -- couldn't be a selection of this and that and the other one to come to work and others that couldn't. You had an objection to it, and we thought when we left frankly that, rather reluctantly, but as I say reconciled to it, that the check-off system for the purpose of whatever legal establishment might be required, that that was acceptable and that the other question was the one we was to get an answer to.

You agreed, or rather, Mr. Lessing said he had a, what he first called a counter-proposal to what we submitted. Later it was explained as more a set of interpretations of the various points we raised in our proposal. We were to have received it Friday and didn't get it. An explanation was satisfactorily made for the reason that it was not forthcoming Monday morning when we checked to find out ---

Now we are up to the position where it seems that the case resolves itself down to those same two issues. You said to me over the telephone, and to the others, that you didn't agree nor -- I got the impression that you had reluctantly even -- but in any way accepted the idea of the cross-check -- that we were mistaken. We take your word for that, and that leaves it back up to the two issues instead of one.

The two are, we are not insisting upon a cross-check. We don't think either one of them is necessary. We are willing to consent to that. And under the rules and terms as we described. The other, we insist that the people that are out on strike are still employees, striking employees, are not to be considered as being reinstated with the company; that they return to work and we proceed to negotiate and by that I don't mean with the idea of changing, because standard contracts are standard contracts -- perhaps relying somewhat on proof that the various terms and conditions are already established, and then if there is any question of reduction of the force, that's a matter that will have to take care of itself, but it will have to be done in such a way that it can't be a selection among those that went on that strike. That is our -- and I am going to some length, for a very obvious reason -- that's our case, and our position. The Labor Council is not trying to force these people, or considering for them to accept any kind of agreement that they don't want to accept, that is below the standards set by themselves. The only position that we are in -- the only thing we could do -- if the union undertook to try to force what we thought was a great deal different contract as to terms and burden than that already established for the same kind of business, we could back off and say "Go ahead and do it by yourselves." They haven't done so, so we are duty bound to stay in. And it seems that when we discussed the thing that it is necessary -- although we resolve ourselves back down to the point of discussing whether or not the consent of the strike on a basis of everybody being returned to work in the same positions they had, and then proceed to negotiate and sign a standard contract of all of these unions.

401

MR. BUZZELL:

I think, of course, the unions want that agreement to do all of those in writing, and the Labor Council is then bound to see that the unions live up to their share of the bargain as they go along.

BLIX:

Plus the addition of closed shop.

BUZZELL:

The closed union shop is in the contract. There is our case. There is our position.

WALT:

I think we have given you our answer before on that, Mr. Buzzell. We are just back where we were when we first started to negotiate.

BUZZELL:

It's probably true. That's what I have already said. We recognize it as true. That up to this moment we are. Our purpose in making this visit is to attempt to see if we can't change your mind. There's two points on which we will have to be answered.

WALT:

To me, it's the guy with the big stick standing there, trying to make me change my mind. No other way to look at it. No other answer to it. To be very frank, with me you will agree on that, won't you?

BUZZELL:

I will agree that unless you do it, we are going forward with it, and there isn't anything the Labor Council can do except to say to these people we'll go as far as we can. It is not our desire. We'd rather settle things than fight. But we have to.

WALT:

As long as the big stick settles it.

BLIX:

To be frank with you, Walt, we interceded in your behalf. I don't know if any judicial members of the committee were present at the Central Labor Council last Monday night, but if we hadn't gotten up on our hind legs and bellowed like the devil, the entire Central Labor Council and all of its affiliates would have been forced to put you on the unfair list.

WALT:

I think if you're honest and everything else, you have a right to get up and bellow.

BUZZELL:

We had a right to get up and propose a proposal because I will say to you frankly -- because of two things -- one, when we had left with the understanding that we were coming back -- no use coming back if we are going to act and take the final step between two visits -- secondly, very frankly, we didn't think it was good judgment or smart.

BLIX:

And the three members of your committee -- do they believe that the doors have not been closed on negotiations and might be able to get somewhere, and for that reason we took the stand that further arbitration was the wise thing, and jumping at conclusions was not appropriate at that time.

BUZZELL:

We've got some sense of the responsibility we have. We are representing a lot of men and women whose earning ability and whose jobs are at stake.

WALT:

That's just what is at stake here, Mr. Buzzell. The jobs of a lot of these people out on that line that

501

#WALT:

they are jeopardizing themselves. Conditions are not going to be improved by the moves that you think are your weapons, But if that's what it must be, that's what it must be, and I fought for principles before and I'll fight for them again. I have never been yellow -- I have never been a coward. I might have been foolish at times, but I sort of have a faith, a faith that kind of pulls you through a lot of these things. When it comes to a compromise of this sort, to me it isn't a compromise. It's just laying down. To me it's one of the most un-American things that can be done. It happens to be a group of people in here that have the right to say whether they belong to this. It happens to be in my opinion a minority that's claiming the right to bargain. Now what they are after is the truth, and that's what we have got to find -- the truth of the thing. Who is the majority. In a case of that sort, it should be determined in the proper way.

Now I have told you before, and I will say it again, that there are crafts that I recognize, but this is a new one -- this is something new -- this is affecting the creative personnel of this Studio -- the personnel that keeps this studio alive -- that creates the jobs for every one of you guys that are outside that line, and you want to take the big stick and beat them into thinking your way.

#PETERSEN:

You simply say we have a majority.

#WALT:

The cross-check is definitely unfair. People have signed your cards under pressure.

#MCLELLAN:

That's your opinion, Walt. We don't believe that.

#WALT:

I have a right to my opinions just as you have to your opinions. The one way to really find out -- the one way to prove it is to put it up for a vote. And the very fact that you refuse to go to a vote just convinces me that you haven't got a majority. And for that reason I will fight all the harder on the thing -- unfair lists -- anything else. And when you go for this unfairness, you're cutting off your own noses.

#BUZZELL:

When I said to you what I did -- I'm going to repeat it again -- if you force us to do it, we're going to do it, but I'm not saying we are doing it for the purpose of making threats -- it's not true. It is the natural course of events and if we do it, we shall endeavor like any other fight -- if we have to fight, we're going to throw all the punches we can, and duck all we can, and kick when we can.

#WALT:

I know the usual union methods, Mr. Buzzell. I've been brought up through my life with them. My dad was beat up by a bunch of union people one time.

#LESSING:

It must means that they attempt to carry out the threat to turn this Studio into a dust bowl or a hospital, and when they do that, there won't be any jobs for the men outside and the women outside and the men inside. So far as these weapons are concerned, they are not only endangering their own livelihood and security, but those of other people who have rights and that's what Walt's fighting for.

501

~~MCCLELLAN:~~

It seems the bickering is over the method of procedure of settling the strike. We asked for cross-check. You asked for election. It's just I think an assumption more or less that a cross-check is going to cause ill-will. We are as anxious as you are to have this thing blow over and settled when we come back to work because we realize it's as important to the business as you do. I think you're attaching too much importance to the result of a cross-check to the personnel inside. If I were inside, I don't see anything unfair about a cross-check. I would take that attitude inside because I'd say so many people signed Guild cards -- they must have signed them because they wanted to belong to the Guild.

~~LESSING:~~

What is unfair about a secret election?

~~MCCLELLAN:~~

The unfair thing is that the Guild was formed here under difficulties of attitude -- you may deny that but I can't, because I know it's a fact. I think if we held an election it would still exist under that condition of coercion. Walt points out they will go in and vote secretly. A lot of people even in a secret vote booth haven't the guts to vote the way they want to.

~~LESSING:~~

The only coercion I know is that the Guild has threatened them.

~~WALT:~~

It's evidently that you don't know.

~~LESSING:~~

I never pass the picket line without somebody either taking my picture or my name.

~~WALT:~~

Mr. Buzzell, if I may say this, you're dealing with perhaps an entirely different group than you have ever dealt with before. You're dealing with a group of men who have given an awful lot to this business. And the men inside this studio have been with this studio for a good many years -- a good percentage of them. And I can't say that for the people that are outside the gate.

~~BUZZELL:~~

The fact still remains, Mr. Disney, that the union -- however formed -- none of them are born easy, you know. And none of them are born -- none of them just come along and grow. They are all born because there is some reason that made them. And we don't expect the time here now -- we don't expect it will ever come, to find everybody in the same frame of mind. I have dealt with all kinds of people and unions, and all kinds of trades.

~~WALT:~~

It's not union or things like that that we are fighting -- it's the methods of determining who should be that bargaining agent.

~~BUZZELL:~~

You're asking us to submit to an election. There's five or six very valid reasons why we don't. I presume you have played poker. If you've bought a hand and showed your hand, you wouldn't submit to dealing the cards over again to find out if you had it right. And we ain't going to either. That's what it amounts to.