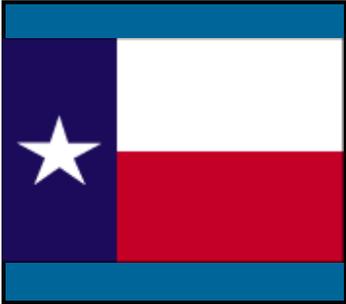


August 2001

TEXAS CIRCULATION
MANAGEMENT ASSOCIATION

TCMA Newsletter



Beaumont: Spindletop of Ideas

Just as oil was discovered in Gladys City near Beaumont in 1901 which became Spindletop, new ideas to help you drill for ways to grow circulation will certainly be a desired outcome when TCMA meets in Beaumont in October.

President John Whaley has assembled a variety of speakers that will help the small market newspaper and the big city newspaper. The keynote address will be delivered by **Don Carter**, President of CGI, a consultant firm that helped the Dallas Morning News with managing selling while surviving in these challenging times. **Leah Gentry** will follow Don bringing a message describing the partnerships of new media and circulation.

Phil Hanna, an associate with Anderson, Randles and Associates, will tell us how we can secure our future with home delivery. President of Ver-A-Fast, **Bob Bensman**, will talk about creative partnerships that drive positive circulation numbers.

Always a favorite, is TCMA legal counsel, **Mike Zinser**, will kick-off the Wednesday session by speaking on the essentials of contractor relationships. **Harley Hitchcock**, will speak concerning US Postal challenges and how you can improve your bottom line. The information Harley will bring is alone worth the registration fee.

Newspaper Association of America's, John Murphy, will bring the results of a five market single copy study. **Rocky Swartz**, from the Dallas Morning News will tell how the new 25% rule can be used to build your circulation in your market.

Think a disaster can't happen to you? After you hear how the Houston Chronicle delivered 72% of their subscribers when the June 2001 flood hit the Houston area, you will learn how to deal with disaster **when** it happens to you. Members of the circulation staff will tell how the paper survived during the June flood.

Beginning with a golf tournament, the President's Dinner at the Grand Coughatta, and ending with a Carrier of the Year Dinner on Wednesday night, you cannot afford NOT to be in Beaumont in October. Make your hotel reservations now and submit your registration materials, grab your notebook and pen and come network with the some of the greatest newspaper professionals in America.

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Special points of interest:

Mark your calendar now!!

**2001 TCMA Conference
October 8-10, 2001**

**Beaumont, Texas
Holiday Inn -Beaumont Plaza**

Guild denied Website employees in Baltimore

The U. S. Court of Appeals for the Fourth Circuit on July 18, 2001, reversed the NLRB and ruled that the website ("SunSpot") employees of The Baltimore Sun Co. could not be added to an existing bargaining unit by accretion. This is important, for it preserves the right of the website employees to a secret ballot election to determine whether they want representation.

On this point the court stated: Employee self-determination in the collective bargaining process is perhaps the most fundamental promise of the National Labor Relation Act. Section 7 of the Act provides: Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing and shall also have the right to refrain from any or all of such activities.

The NLRB was chastised for not following its own previously announced standard in accretion cases. The Board "breached the requirement of reasoned decision making by 'applying a rule which is in fact different from the rule formally announced.'"

The NLRB may use accretion to add employees to a preexisting unit only if (1) the employ-

ees have little or no separate group identity and thus cannot be considered to be a separate voting group, and (2) the community of interest between the employees and the existing unit is overwhelming.

The court concluded that the NLRB failed to even apply prong (1) above. If the NLRB had done so, it "would not have been able to conclude that [the website group] did not have a separate identity.

The SunSpot department effectively operated day to day as a separate department, even though it was geographically proximate to other departments. It's immediate supervisors were dedicated to the SunSpot department. SunSpot department employees did not participate in the preparation of the newspaper. The department's employees met as a department on a weekly basis; they decided their own goals in developing the website.

They were also compensated differently from other employees, receiving a different benefit package and individually-negotiated wages. In focusing work on a website and on customers surfing the Web, the department's employees were required to have skills and expertise quite different from those employed in producing a newspaper. The SunSpot department's employees did not overlap with other departments in other respects. For example, the unit employees did not participate in the

production of the extensive material that appears exclusively on SunSpot, and none of the SunSpot employees who would fall within the NLRA's jurisdiction were hired from the newspaper operations.

The court held that there was not substantial evidence to support the NLRB's conclusion that prong (2) was met. The NLRB "has not demonstrated why this case is so exceptional that an election should have been bypassed."

***Editor's note:** This case is important for newspapers that want to protect union-free web employees from unions already in place in editorial and/or advertising departments. It also offers instructive advice to union-free newspapers on structuring your web operation so as to be a separate group if a union comes organizing.*



**Make your Beaumont
hotel reservations now.
Call the
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409 842 5995**

Our Newest Members!

Through July 31, 2001

Gary Grosz	Kaspar Sho-Rack
Al Zuffrano	GoalGetters, Inc.

TCMA Regional Directors

(Open) (South)

Jack Light (North) (806) 345 3421

Tyler Patton (West) (915) 333 7722

Sylvia Gonzales (Central) (512) 445 3753

Bobby Perry (East) (903) 794 3311

First and Second Vice Presidents Election In October

Due to the resignation of Jo Linda Bishop as First Vice-President of the Texas Circulation Management Association (*see Jo Linda Resigns, page 6*), the remaining officers advanced to the next level. Paul Jauma is now the President-Elect and Lane Aten is the First Vice-President.

According to the TCMA By-Laws in Article IV, Section 4, election of officers shall take place at the annual conference. Nomination speeches will be limited to two minutes during the morning session on Tuesday, October 9, 2001. While seated by TCMA regions during the Tuesday business lunch, (*see Regional Directors, page 4*) election of the first and second vice president will take place by secret ballot.

Officers elected will begin their term immediately following the conference. Beginning with the Second Vice-President and serving through Chairman is a five year commitment. From First Vice-President through the Chairmanship is a four year commitment. Officers advance from Second Vice-President, First Vice-President, President-Elect, President, and Chairman. The By-Laws are online at www.texascma.org.



Texas Roundup!

Houston:

Senior Vice-President Gary Randazzo, announced the appointment of **Lawrence Smith** and **Gene Haddock** as Directors of Circulation. Gene Haddock will be responsible for the single copy and new business departments. Lawrence Smith will direct the home delivery operations as well as the vendor sales group.



Smith



Haddock

Make customers your focus

How many times have you had an idea to improve service to clients and customers? Now, how often do you let those ideas fall through the cracks? Try this tactic to keep your mind focused on making customers happy: Create a "pay-for-me" form. Use it to record your ideas on how a customer can save money or increase income. If you work in the banking industry, for instance, you can jot down your thoughts on how to better educate customers on choosing the account that best suits their financial habits. Try to write down at least one suggestion a day regardless of how busy you get. Keep the form in a visible place so it reminds you to think about customer service.

—adapted from *301 Great Management Ideas from America's Most Innovative Small Companies*, edited by Sara P. Noble (*Inc. Magazine*)

Regional Director Election

By James Smith, Secretary/Treasurer

The Texas Circulation Management Association's By-Laws require new Regional Directors to be elected at the annual conference. The regional directors serve on the Board of Directors for two consecutive years.

Article IV, Section 4 of the by-laws state:

Section 4. In addition to the Officers mentioned in Section 1, the board shall consist of five directors representing five regions of the state (West, North, Central, East, South). Each Regional Director will be elected from a caucus

representing their region. A person may serve as Regional Director for a term of no more than two consecutive years. The duties of a Regional Director shall be to promote and recruit membership to the Association.

On Tuesday, October 9, 2001, during the luncheon, TCMA newspaper members will be asked to sit with their region to elect their Regional Director. Maps and a list of counties that make up the regions are available online under the membership section at www.texascoma.org. If you would like

to be a nominee for a Regional Director, please send your request to John Whaley at tcma@texascoma.org or call John at 469 644 8784. Your name will be submitted to your caucus table.

Regional Directors must be current TCMA Newspaper members with their dues current for 2001. Upon election, the Regional Director term begins at the end of the conference for two years. The first board meeting will be held in January 2002.

Conference 2003

If your newspaper would like to host the TCMA Conference in October 2003, please make your request known to president **John Whaley** at tcma@texascoma.org or call 469 644 8784. The TCMA by-laws require the host city to be selected two years in advance.

Carrier of the Year Finalists

The TCMA Carrier of the Year (COTY) Committee chaired by **Jo Linda Bishop** (Palestine Herald Press) selected the following as finalists for the annual COTY state wide competition. The winners were chosen at the August 2001 TCMA Board of Directors meeting and will be announced at the 2001 Fall Conference in Beaumont during the COTY Banquet on Wednesday, October 10, 2001:

Under 200 Category

Paul Mertz	Corsicana Sun
Myrel Stanley	Houston Chronicle

Over 200 Category

Mike Gaffey	Fort Worth Star-Telegram
John Skrapits	Dallas Morning News
Willie Jones	Houston Chronicle

Single Copy Contractor

Robert Thorp	Fort Worth Star-Telegram
Jimmy Ellison	Corsicana Sun
Robin Alaniz	Houston Chronicle

District Manager/Contractor

Keith Pinney	Bryan Eagle
Don Hildreth	Fort Worth Star-Telegram
Julian McMurrey	Houston Chronicle

TCMA Board of Directors

Lorenzo Vigilante	Chairman/NAA Federation Rep.	Bryan Eagle
John Whaley	President	Dallas Morning News
Paul Jauma	President-Elect	Houston Chronicle
Lane Aten	First Vice President	Valley Morning Star
(Open)	Second Vice President	
(Open)	Regional Director (South)	
Sylvia Gonzales	Regional Director (Central)	Austin American-Statesman
Jack Light	Regional Director (North)	Amarillo Globe -News
Bobby Perry	Regional Director (East)	Texarkana Gazette
Tyler Patton	Regional Director (West)	Odessa American
Wayne Brune	Associate Director	Tex-Trude
David Novitski	Associate Director	M-Perial Group
James Smith	Secretary/Treasurer	Houston Chronicle

Texas Circulation
Management Association
TCMA Newsletter
August 2001

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viewing and to enhance the purchase experience for your single-copy customers.

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In Memoriam

Bill Traylor, President of B & W Circulation Supplies and Associate Member of TCMA, died suddenly on June 8, 2001. He is survived by his wife and son, Will Traylor. He was buried in Houston National Cemetery on June 15, 2001.

Ends 16 Year Career at the Palestine-Herald Press

First Vice-President Jo Linda Bishop Resigns

TCMA President-Elect **Jo Linda Bishop** resigned as Circulation Manager of the Palestine-Herald Press on June 29, 2001. Citing a need for a change, Jo Linda said that after working seven days a week for eighteen months following the purchase of the Press by a holding company, it was time to make the difficult change. She has eighteen years of experience in the newspaper industry. Jo Linda has been a tireless supporter of TCMA and her love and knowledge of the newspaper industry will be missed. Best wishes, Jo Linda!

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