

Get Nautical: Steering Circulation

President **Lane Aten** presided over the Eighty-Ninth Annual Texas Circulation Management Association's Conference. The Conference met October 27-29, 2003 in Corpus Christi, Texas.



The conference opened with keynote speaker, **Yvonne Conte**. Conte is a nationally known motivational speaker. Conte kept the audience laughing by sharing personal antidotes on how to take life seriously while smiling and keeping the right perspective when dealing with the serious issues of life. Conte also spoke at the business luncheon on Tuesday.



President Aten had a terrific lineup of speakers with topics of interest to all newspaper managers in attendance. Following Conte was **Diane Rusnak**, a Manager in the Public Relations Department at the Audit Bureau of Circulation. Rusnak brought an update of the latest ABC Board decisions including practical tips on reporting circulation figures.

Bill Johnson, Director of Circulation and Marketing with the Newspaper Association of America, presented the latest NAA facts and figures regarding the newspaper industry. Additionally, Johnson gave the attendees the latest updates on the telemarketing regulations.

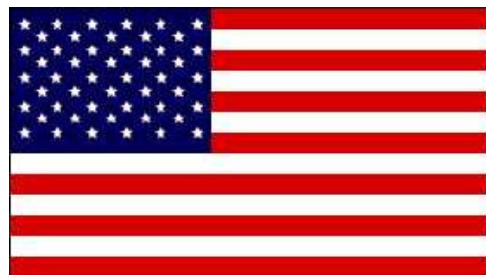


TCMA's General Counsel, **Mike Zinser**, spoke to the Association with a legal update on how to treat independent contractors and carriers.

A popular speaker, **Mark Henschen**, shared the successes his newspaper in Escondido, California. *The North County Times* has increased circulation by using some creative programs reducing churn and paying for telemarketing subscriptions based on subscription retention.

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THE ZINSER LAW FIRM

TCMA Legal Counsel

Hilo Hawaii Tribune-Herald Receives Three Year Pay Freeze

On October 1, 2003, the *Hawaii Tribune-Herald* settled with all three of its unions in Hilo, Hawaii. The stated expiration date of the most recent contracts was March 1, 2002. The parties had been in negotiations since that time, over twenty months. The settlement reached (at the suggestion of a federal mediator) was that the old contracts would be extended through Dec. 31, 2004. There will be no changes in the contracts, including wage increases. This is the first time ever the unions failed to negotiate a raise.

The last pay raise received by these employees was a 1% raise on Jan. 1, 2002. There is no possibility of another pay raise until after the new expiration date of Dec. 31, 2004. The bottom line is, the unions have agreed to a three-year pay freeze for the employees.

Prior to the settlement, the parties were nearing impasse on key Employer provisions to delete union security and check-off, to add a substantive management rights clause, to add drug testing, and to expand the performance of unit work by supervisors. Hawaii Newspaper Guild made the most noise about the Employer proposals to delete union security and union dues check-off.

The unions wanted no part of the Company's proposals to give employees the freedom to choose to pay or not to pay union dues and to stop payroll deduction of union dues. Rather than give the employees free choice, the union chose a three-year pay freeze. Union "institutional" issues won out over more money for the individual employee.

Dishonest Employee is Protected by the Act

Non-union employee Loretta Williams anonymously distributed 1200-1300 fliers in her workplace, after hours, encouraging coworkers to wear red ribbons in support of recently laid-off coworkers. (The NLRB noted there was no policy prohibiting access for off duty employees.) USAA had a no distribution/no solicitation policy. Williams was interviewed about the fliers. At the interview she was informed that the turnstile security clocked her leaving at 11:00 p.m. - three hours after she was to clock out. She was informed that security video showed her entering the workplace with a large box. Williams said that she only had "papers" in the box. She later testified that she felt "uncomfortable" during the investigation, and asked if she needed an attorney. A few days later, she "confessed" to the distribution. She was subsequently terminated for violating the no-distribution/no-

solicitation policy, and for dishonesty during the interview.

The Employer's policy prohibited all distribution of printed materials "in the building." The NLRB ruled this unlawful. (It did not help that USAA admitted that its policy "may have been overly broad.") As for the "interrogation" of Williams, the NLRB explained the test as "whether, under the circumstances, the interrogation reasonably tended to restrain or interfere with the employees' exercise of the rights guaranteed them under the Act (and Williams) would reasonably perceive that [USAA] had only one objective in questioning Williams - to determine who had been engaged in the flier distribution." The NLRB also wrote, "it can be no defense to Respondent to recite a wrong [by Williams] in responding to an action of [USAA] which itself constituted a violation of law."

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James Smith
Editor

TCMA
Houston Chronicle
801 Texas Avenue, Suite 200
Houston TX 77002
713 362 7644
713 354 3099 fax

tcma@texascma.org
www.texascma.org

Our Newest Members!

Armando Cano	The Monitor (McAllen)
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Robert Levier	The Monitor (McAllen)
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(East)

2005 Conference Site Selected

The Fort Worth Star-Telegram has offered to host the 2005 TCMA Fall Conference. The Association last met in Fort Worth in 1982. **Albert Vaughn** from the Greenville Herald-Banner presided as President.

New TCMA Web Site

Check out the new TCMA web site! Webmaster **James Smith** has added a new look to the web site making it easier to read and navigate. Member's phone numbers are easier to locate. If the member has an e-mail address, just click on the member's name and your mail program will automatically start. There are photos from the recent conference as well as information about upcoming TCMA events.



Texas Roundup!

Corpus Christi Caller-Times

TCMA President-Elect, **Steve Jordan**, joined the *Corpus Christi Caller-Times* as circulation director on Monday, September 13, 2003.

Jordan comes to Corpus Christi from the Houston Chronicle where he has been circulation manager for the west side of the city for two years. He has worked in circulation for the Hearst Corporation newspaper since 1997.

The native Texan began his career in newspapers at the Caller-Times in 1986 after selling his industrial cleaning business, South Texas Industrial Cleaning. He worked in the paper's circulation department as the state area circulation manager.

"I started down there as a mustang of sorts," he said. "So this is like a homecoming for me."

Jordan's experience at the Caller-Times helped move him up the ranks in the Harte-Hanks newspaper chain, which at the time owned the Caller-Times. When he completed his tenure at the chain in 1997, Jordan was working for the Abilene Reporter-News as vice president of operations.

Jordan said he is returning to Corpus Christi because he misses working at a mid-size paper.

Kimberly Vetter, Corpus Christi Caller-Times

Wanted: Texas Roundup News

There is a simple form on the TCMA web site (Newsletters) that only takes seconds to complete for news, promotions, or departures at your paper. We want to know. . . Texas wants to know!

www.texascoma.org

Carrier of the Year Winners



Romeo Castillo

Valley Morning Star

Under 200 Route Size



Leon Geiger

**Fort Worth
Star-Telegram**

Over 200 Route Size



Angela Reed

Bryan Eagle

Single Copy



Terry Favro

The Houston Chronicle

Contractor

Conference 2004

The *Amarillo Globe-News* will host the 2004 TCMA Fall Conference. The last time the Association met in Amarillo was in 1989.

This will be the first time since 1997 that the Association will meet outside of South Texas. We met in South Padre in 1998, San Antonio in 1999, Austin in 2000, Beaumont in 2001, Houston in 2002 and Corpus Christi in 2003.

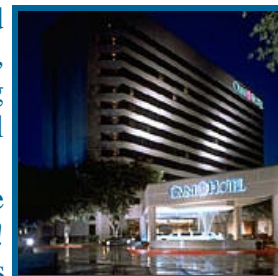
This will be a great time for our North Texas and West Texas newspapers to attend the Conference.

The site of the conference will be the Ambassador Hotel.

2004 Spring Seminar

May 13-14, 2004

Mark your calendars and make plans to be in Austin, Texas for the 2004 Spring Seminar. The Association will meet at the Omni Southpark, which was the site for the 2003 Seminar. Great News! The room rates are the same as last year. Reservations are now being accepted at the Omni Southpark Austin hotel. Call 512 448 2222.



Membership Renewal Notices

According to our by-laws, membership renewal notices for 2004 will be mailed in November 2003.

Section 7. Membership Fees and Dues. All persons submitting an application for membership shall be charged a membership fee set by the Board of Directors. In addition, all regular and associate members shall be charged annual dues in November of each year. The amount of such dues shall be set from time to time by the Board of Directors who may choose to schedule the amount of dues according to the number of members from a given newspaper. Dues shall be paid by January 15 for a member to retain his membership. No dues shall be charged to honorary members or honorary life members. However, the Board shall have right to charge for mailing services to honorary members and/or honorary life members.

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Corpus Christi Conference Photos




More photos online at www.texascma.org

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