

IIR newsletter

Volume 12 - No. 1

Date: TUESDAY, JANUARY 13, 1970

Time: 6:00 p.m. - No Host Cocktails
7:00 p.m. - Dinner - \$3.75
8:00 p.m. - Speaker

Place: The Boardroom Restaurant
3361 West 8th Street
Los Angeles

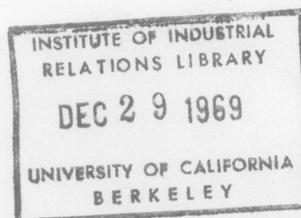
Speaker: ABE LEVY, Attorney

Subject: PREPAID LEGAL SERVICES: GROUP LEGAL SERVICES: WHICH?

Please make reservations by calling Rita Sann on 825-3180 by Friday, January 9, 1970. If you are unable to attend the dinner please come and listen to Mr. Levy's talk at 8:00 p.m.

NEW BRIEF
ON SPEAKER
FOR JANUARY

Abe Levy of Levy and Van Bourg has practiced labor law for the past twenty years and has been active in the Los Angeles labor movement since 1940. He is a graduate of New York University and received his law degree from the University of Southern California.



Past Program

The Challenge of the 70's for Negotiators by Benton H. Goodenough

It is only three weeks until the decade of the 60's will be history and we will find ourselves in the 70's. Much that I hear, see, and read deals with the technological changes that are to come, or the ecological problems that will face us in even greater profusion than now exists. Also there are some who are dealing with labor-management relations in the 70's: in a recent NAM Industrial Relations Institute, Professor Matthew Kelly of Cornell University shared his insight on the future trends of costs of living problems in bargaining, hours, fringes, coalition bargaining, contract rejection and public sector unionization, and Undersecretary of Labor Hodgson, focused his attention on several areas where business and the nation's workforce will feel the thrust of change including such matters as a shift in the way business will appeal to the employees; challenges to the traditional patterns of bilateral bargaining; and a broader role for business in the solution of national "people" problems. In speaking with you tonight I too would like to look at the 70's but hopefully in a somewhat different manner. I first propose to talk about the educational side of labor relations for the 70's. Second, I would like to briefly discuss with you some of the real problems I see in labor relations for the 70's, which may come as a result of the merging of companies. Third, I would like to conclude with some thoughts I have in regard to the most important element we must deal with in all future decades, the most precious element in the universe: man.

On all these subjects I want to confront the years that lie ahead from the viewpoint of the labor relations professional and without differentiation between labor and management for, in my opinion, both union and employer professionals in the arena must have a communality of interests as well as a recognition of the interdependence of labor and management.

There is no doubt that the knowledge of man has so expanded during the twentieth century that no man, no matter how erudite, can comprehend or be conversant with even a small fraction of the totality of knowledge. As a result, our world has become one of specialization of disciplines. We have developed islands of knowledge where groups of people of the same discipline, or at best related disciplines, have dialogue within their own areas of specialization and progressively become more and more insulated or isolated from the other insular clusters.

Out of these many groupings ultimately grow power structures which figuratively become blind and deaf to the problems of other groups. Power structures, when properly used, can work toward the ultimate good, and when improperly used can wreak a terrible influence toward the denigration of the dignity of the human being. They can be the breeding ground for deprivation, and generally speaking, it is only when the power has been used to deprive enough people for a long period of time that a given power structure has altered its course to meet the surging tide of rebellion or has been overcome by that unrelenting force and a new power structure has been created.

Those of us who have chosen a career in labor relations are going to be in a difficult job environmental situation in the years ahead, I believe, because of the increase in these highly developed fields of specialization. Each discipline develops its own language and as this occurs, meaningful dialogue between the two disciplines breaks down. Fragmentation of cluster groups within a culture, particularly a culture becoming highly urbanized, may develop areas of segregation or discrimination or isolation that will parallel or perhaps even exceed in intensity any racial problems of our days.

What has all this to do with the educational aspect of labor relations? Simply this: I am inclined to believe that as most of our fields of endeavor move toward a higher degree of specialization, labor relations professionals will more and more be called upon to be generalists. If negotiators on both sides of the table are not broad in their views and educated in such a manner as to be able to communicate with all the disciplines, they will find themselves ineffective in accomplishing the objectives that will be laid down for them.

Now, certainly, it would be naive to assume that a labor relations professional could be skilled in all the disciplines, but it is my belief that his ability to cope with the situations that will arise will come from a broad knowledge of the background of our whole culture--in short from a liberal arts education rather than from dealing solely with disciplines of collective bargaining. He will need to be an expert in both oral and written communication. He will need to know a good deal of history of the twentieth century, particularly the post World War II era. He will have to understand the sociological and ecological problems of the decade. And, believe it or not, he will be well off to have some courses in religion and theology.

Religion itself may seem a far cry from the bargaining table. Nevertheless, we in America have deep roots in our Judeo-Christian heritage. Whether or not the student is of a faith emerging from that background it is an area of learning that I believe is and will be essential for a well-trained labor relations man.

Also, he will have to recognize that much of what we are in the 70's will have grown out of our Judeo-Christian background, particularly in regard to the sanctity of work, and he will have to be acutely aware that if more and more leisure time is becoming available the significance of work as an end or a means in itself will be severely reduced.

Second, I would like to touch briefly on the problems I see growing out of the continuing mergers of giant corporate structures. I will cite only one example, but out of it I am sure you can develop your own ideas and recognize the difficulties that will ensue.

As chief spokesman for the West Coast maritime industry in dealings with the longshoremen I have, for the past several years, been involved in negotiating the collective bargaining agreements covering longshore work on the docks and the loading and discharging of vessels. As many of you know, the maritime industry in the past decade has been going through its first industrial revolution. Containerization, new cargo handling equipment, computerized programming, and changes in cargo methods, are all changes that are affecting the work availability for men who have made their careers in this field. We have been successful in our bargaining with the longshoremen in the last ten to eleven years, and we have accommodated ourselves well, I believe, to these technological changes and have recognized the importance of giving consideration to the human being. Nevertheless, there are other events now developing which will alter, in my view, the whole frame of reference for our collective bargaining.

An example of this is the fact that one of the steamship companies represented by Pacific Maritime Association is now owned by one of the major trucking firms in the United States. Bear in mind that my bargaining for this company, along

with the others I represent, has dealt solely with the longshore union. The trucking company which now owns the steamship company has been dealing with teamsters. When it acquired the steamship company it left it as an independent corporate entity as far as conducting its ocean transportation business is concerned, and the trucking company maintained its own identity. I believe it is inevitable that in the future, if the maritime industry continues to bargain in isolation with the longshoremen and the trucking company bargains in isolation with the teamsters, we will find ourselves infringing on the jurisdictional domains of the two unions without being really aware of the problems created until such time as the contracts are signed. We will then find it impossible to implement them without serious conflict between the two unions. In the transportation industry, one of the prime objectives is intermodal transportation with a total interchange of cargo handling equipment. Containers and vans that fit into a cellular type vessel will be designed to be hauled interchangeably by any over-the-road equipment. Loading and unloading of those containers will be of prime concern to the unions involved. The spot where one union starts loading or unloading and the other stops will be a significant item to both unions.

Now, add to the evident conflict that can arise a third ingredient. Another of the companies I represent recently announced it had made an arrangement with a major airline for intermodal handling of vans and containers. Assume that the company also becomes involved in merger arrangements with a trucking company. We now face three areas of jurisdiction. One, the longshoremen; two, the teamsters; and three, perhaps the machinists who represent many in the air transportation industry and perhaps the teamsters who are also involved in air transportation. Those who head the corporate structures of these companies are primarily involved in the economics of the mergers and may not have given consideration to what can happen in the jurisdictional arenas of the unions now representing the employees of the various companies pulled together in these conglomerates. Labor relations professionals, both union and management, in the future must begin to give serious consideration to the implication arising out of the mergers where different unions are involved.

A final point I would like to discuss with you has to do with what I consider the most important consideration confronting us in years ahead: union-management standpoint in regard to the individual.

Though we may now utter all the platitudes about importance of the human being in our dealings with labor relations problems, up till now I am not too sure we have given much more than lip service to this aspect in our profession.

As mergers and giant conglomerates come about, the tendency is more and more to treat people in groups, classify them in clusters, identify them as numbers, and deal with them in a manner which is abhorrent to the younger generation. Plant rules, fine structured salaries rates, mass approaches to discipline and the things we are so familiar with may take an awful beating in the next ten to twenty years and I am not too sure that they do not deserve it. Somehow or other,

through our educational processes which I mentioned first, through our awareness of what conflicts may arise through mergers and conglomerates, which I mentioned second, we must move into a situation in the next decade in which more consideration will be given to the individual. It must be done in the planning steps of negotiations, it must be done in the overall process of bargaining, it must be part of the structure in collective bargaining if it's going to be successful. For if it is not done with a deep commitment to give attention to the person, it will be growing grievance procedure demonstration, sit-ins, and all the things which seem to be converse to the orders which many of us have tried to develop to the collective bargaining processes.

I am fully aware I have touched only lightly the surface of some of the problems I see. I certainly do not know the answers nor the solutions, but I believe that the three things I have mentioned, plus several others which time will not permit reference to, will be the key situations with which the professionals in collective bargaining will have to deal in the future.