

FEDERAL DEPARTMENTS AND AGENCIES AFFECTING THE ✓
CHARACTER OF LABOR RELATIONS IN THE
LONGSHORE INDUSTRY

by
Reed L. Smith

longshore industry (P48)

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**Submitted for
Business Administration 199 (B) -- Mr. Malm
University of California
Berkeley, California**

341 Lenox Avenue
Oakland 10, California
May 31, 1948

Mr. F. Theodore Malm
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University of California
Berkeley, California

Dear Mr. Malm

In accordance with my proposed investigation of the relation of the Federal Government to labor relations in the Long-shore Industry I submit the accompanying chart and report. The chart is the principal result of my work, the written text merely elaborating upon the specific effects of the departments and agencies included in the chart.

The Waterfront Employers Association of the Pacific Coast subsidized the investigation, allowing me to carry it on during office hours and bearing the cost of reproducing the chart. I wish to acknowledge with gratitude the interest and aid given me by Mr. Frank P. Foisie, President, and Mrs. H. J. Mendelson and Miss Joan Mayer of the Research Department.

Any one of the many subjects touched upon by the complete report could well serve as a basis for an extensive research project; however, I have attempted to give a clear view of the overall picture and at the same time sacrifice nothing to brevity. I feel that the investigation was well worth the time spent on it and the Industry itself seems to feel so, since Mr. Foisie plans to make extensive use of both the chart and the report.

Respectfully



Reed L. Smith

RLS/ms

TABLE OF CONTENTS

	page
Letter of Transmittal	11
I INTRODUCTION.	1
Need for Investigation	1
Purpose of the Chart	2
II SPECIFIC EFFECTS OF THE VARIOUS DEPARTMENTS AND AGENCIES. . .	3
Classification of the Departments and Agencies	3
Directly Affecting Agencies.	4
Department of Labor.	4
National Labor Relations Board	7
Federal Mediation and Conciliation Service	9
Boards of Inquiry.	10
Procurement Agencies	10
Department of Justice.	12
Federal Security Agency.	13
Department of the Treasury	14
Indirectly Affecting Agencies.	15
III CONCLUSION.	17
IV CHART --- FEDERAL DEPARTMENTS AND AGENCIES AFFECTING THE CHAR- ACTER OF LABOR RELATIONS IN THE LONGSHORE INDUSTRY.	19
V BIBLIOGRAPHY.	20

I INTRODUCTION

NEED FOR INVESTIGATION

Many have been the charges of "government by bureaucracy" hurled at our Federal Government by both students and statesmen. From the first days of the last great depression to the climax of the last global war, Federal agencies have seemed to increase almost by geometric progression. From the "alphabetical" agencies of the thirties to the "Offices for" of the forties, government in the United States has played an increasingly greater part in the lives of all of us. The extended presence of the Federal Government is an accomplished fact. The need now is for each industry to stop, determine its present position, and attempt, at least, to discover the direction of movement of its relations with its government. We will never, it seems, have less government, and past and present movements seem to indicate quite clearly the very real probability of our having more.

Such a pause for evaluation has been provided for us by the passage of time and a sequence of events. Time has brought us from the 1930's to the late 1940's. Events have brought us from the depression-born relief agencies and the Labor Relations Act of 1935 to the Congressional streamlining acts and the Labor-Management Relations Act of 1947. Thus it seems almost as though we have reached a bench-mark, or even more tritely, the "close of an era".

The Congress of the United States has attempted just such a program of evaluation in its recent moves to reorganize itself and to clean

out the deadwood of overlapping agencies left by the high tide of continued national emergency of the 1930's and early 1940's. And this same Congress has seen fit to answer the demands of the people and reverse its twelve year old position by enacting into law the Labor-Management Relations Act, amending the National Labor Relations Act. All this leaves us with a new Federal labor policy and a newly integrated system of Federal departments, offices, and agencies with which industry and commerce must reckon in the future; therefore we have a ready-made point at which to stop for an evaluation of our position.

PURPOSE OF THE CHART

Any attempt to prophesy future events must be based upon factual information concerning the present. It is the purpose of this report, of which the accompanying chart is the principal portion, to define the present position of a single industry.¹ The chart is a definitive study only, leaving any effort to foresee coming conditions to be based upon it, but not to come from it. It is seriously suggested that many another industry will find it not only interesting but extremely valuable to examine itself to the same end.

¹ The Official Duties of the departments and agencies included in the next section of the report are taken from the Congressional Directory, 80th Cong., 2d sess., January, 1948, pp. 523-730. The description of current conditions in the industry is taken from personal knowledge and therefore cannot be documented.

II SPECIFIC EFFECTS OF THE VARIOUS DEPARTMENTS AND AGENCIES

CLASSIFICATION OF THE DEPARTMENTS AND AGENCIES

Within the Longshore Industry there are two principal means by which the Federal Government can affect the character of the industry's relations with its labor force. There are; primarily, those bodies empowered by law to affect the industry simply because it is composed, as is any industry, of employers; both of employers in general and of employers of longshore labor in particular. Secondly and more remotely, although perhaps even more significant, are those bodies which are concerned with the promotion, implementation and regulation of the foreign and domestic trade and commerce of the nation.

The presence of the first group in a study such as this is easily justified. It is composed of those agencies which, by directive or quasi-judicial action, can directly enter into or affect the relationship which exists between an employer and his laboring force; in terms of wages, hours, working conditions, negotiations, and the like.

Preceded only by such direct factors as those above, the single most important condition which will affect the character of labor relations within an industry is the character of employment itself, especially in relation to its volume and stability. Employment within the Longshore Industry arises by virtue of its position as a service industry answering the needs of the more basic industry of shipping. It would seem, therefore, that that which determines or affects in any

way the volume of trade enjoyed by the shipping industry will in turn determine or affect the volume and stability of employment within the Longshore Industry. It is those those agencies which can have such an effect which compose the second group of Federal bodies affecting the character of labor relations within the Longshore Industry.

The chart is not constructed as an effort to illustrate these two general types of agencies, but in the more conventional pattern of governmental divisions. The two outermost groups, Legislative and Judicial, contain examples of both types of affecting agency, but are self-explanatory by virtue of their subdivisions and will not be discussed here. The Judicial branch is actually an example of both types, since its decisions affect both the shipping industry and general employer-employee relations alike. It is the two central groups which illustrate the more proximate relationships of government and industry, and which will be explained more fully in the two succeeding sections.

DIRECTLY AFFECTING AGENCIES

Of those agencies having a direct effect, such as were outlined in the ~~Classification~~ (above), the most readily apparent are of course those constituted to deal directly with labor problems themselves. These are the Department of Labor, the National Labor Relations Board and the new Federal Mediation and Conciliation Service.

Department of Labor

The various Bureaus of the Department of Labor have varying degrees of effect upon labor relations within the industry. The Bureau

of Labor Statistics has perhaps the most consistent effect, since it is the source of the statistical data upon which are based the principal arguments of both parties (the International Longshoremen's and Warehousemen's Union, CIO, and the Waterfront Employers Association of the Pacific Coast) in wage negotiations. Since the decision of Impartial Chairman Kerr in the wage arbitration of 1946, the final basis on which longshore wage rates have been determined has been the Bureau of Labor Statistics' Index of Consumer Prices. In spite of all other arguments, this has been the determining factor, as set forth in their decisions by the arbitrators themselves.¹

The Wage and Hour and Public Contracts Division is at the present time making its presence felt in a very direct manner. The Fair Labor Standards Act of 1938 (the wage and hour provisions of which the Division enforces) contains certain references to "standard rates of pay", "overtime", and "overtime rates of pay". Due to a but recently discovered ambiguity in the meaning of these terms there are at present several cases in the Federal Courts, and one in the Supreme Court itself, the decisions on which will have far-reaching effects, not only upon this industry, but upon American industry as a whole. Neither the facts nor the merits of the cases are of importance here; suffice it to say that certain members of the laboring force have instituted suits for the recovery of sums allegedly due them as a result of their interpreta-

¹ Award of the Impartial Chairman (Kerr), December 15, 1946; Award of the Impartial Chairman (Miller), December 15, 1947. Mr. Miller's decision is given in light of Dr. Kerr's findings regarding the relationship of Longshore wage rates and the Bureau of Labor Statistics' Index of Consumer Prices for Moderate Income Families in Large Cities.

tion of the Act. Not only will a decision on the test case involve tremendous sums of money, but the parties to the current Longshore Contract covering the entire Pacific Coast have deemed it of sufficient importance to include a clause in that contracts which reads:

In the event of an ultimately binding court decision holding the present contractual overtime provisions are not in conformance with the overtime requirements of the Fair Labor Standards Act, then forthwith the agreement shall be subject to termination and re²negotiation at the request of either party.²

The minimum wage and maximum hours provisions of the Act are far below those maintained in the industry, but nevertheless they serve as a "floor" under present conditions, and also serve to affect other industries, which effect is reflected among industries in general. The Division's administration of the Walsh-Healey Public Contracts Act (relating to Federal contracts in excess of \$10,000) has much the same effect as its administration of the Fair Labor Standards Act. The minimum wage, hour, child labor, convict labor, and safety and health stipulations of the Act are more than met within the industry, but again they serve as a foundation which helps to support present working conditions within the industry.

The Division of Labor Standards affects this industry no more than any other, but the programs and recommendations with which it deals affect the character of labor relations within the industry as the embodiments of public policy will always affect private industry.

In carrying out certain of the provisions of the Selective Train-

² Section 14, Coast Longshore Agreement Between the International Longshoremen's and Warehousemen's Union and the Waterfront Employers Association of the Pacific Coast, effective June 16, 1947.

Underline

ing and Service Act, the Veterans Reemployment Rights Division makes only those demands upon the industry which it must make upon all industry, but its activities have certainly altered hiring in some respects.

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How?

The Office of the Solicitor, in the same way, affects this industry just as it does any other. As the chief law officer of the Department the Solicitor acts as legal adviser to the Secretary and to the various divisions. The legal interpretation and litigation of cases arising under the Acts which the Department administers are within the scope of his activity and he assists the Department of Justice in the preparation, trial, and briefing of cases involving departmental activities handled by it. Thus the laws concerning certain of the activities in the field of labor are subject to the interpretation and enforcement which the Solicitor deems correct and advisable.

National Labor Relations Board

The National Labor Relations Board acts directly to limit and define the areas and types of activity within which both unions and employers may legally move. Thus certain self-help and protective devices are regulated in what the Congress has deemed to be the public interest. The net effect is a restriction of the area of collective bargaining, and it would seem almost mandatory that an intensification of remaining areas of conflict will result. This last statement is admittedly subject to doubt and will probably never be subject to objective verification or refutation.

Certain other activities, as prescribed by the National Labor Relations Act (as it has been amended by the ^{and the} Labor-Management Relations Act, also serve as determinants of the character of labor relations within the industry. The IL&WU, by refusing to register under the non-Communist provisions of the Taft-Hartley Act, has denied itself the services of the National Labor Relations Board in holding representation elections. Although the Union is at present firmly entrenched in its control of the labor force, there are even now other unions which have, by rumor or public statement, evidenced a desire to represent the longshoremen. In the absence of an election to prove its control of the men, the Union will be forced to rely upon its economic strength if its position is ever seriously threatened, and this fact cannot help but affect the manner in which it pursues its current relations with the industry's bargaining agent, the Waterfront Employers Association.

The presence of the Board, as administrator of the National Labor Relations Act, is affecting present contract negotiations in another way (the current contract expires June 15, 1948). As administrator of the Act, the Board is the first body to make interpretive decisions as to the meaning of its requirements. The major point of difference between the parties at the time this is written is a result of different interpretations of the Act. The industry is rather unique in doing all its hiring through a central hiring hall. The IL&WU has consistently insisted that, although control and support of the hall is joint, the dispatcher be a union-elected person. The contention of the Waterfront Employers Association at this time is that this is in direct contradic-

tion to the requirements of the amendment. Undoubtedly, the Board will have to make a ruling on this point either to avert a strike or in the interest of a settlement if a strike is called, regardless of whether or not the President seizes the industry by virtue of his powers under the Act. At the present, however, the influence of the Board has come from its inactivity rather than from any positive action on its part.

In connection with the unfair labor practices defined in the Amendment there has been created a General Counsel of the Board, thus effectively separating its judicial and investigative and prosecuting activities. The General Counsel is now charged with the duty of investigating and prosecuting charges of unfair labor practices under the Act, and the Board functions as a court rather than simultaneously possessing both functions. In any event, the Board here implements its administrative duties through an enforcement system, again determining a pattern within which labor relations must be fitted and thus affecting the character of those relations.

Federal Mediation and Conciliation Service

Current contract negotiations also serve to illustrate the effect of the Federal Mediation and Conciliation Service. Since negotiations between the parties collapsed on May 11, the representatives of the Service have been striving to schedule and hold meetings of the disputants in an effort to avert strike action and a shut-down of the industry. Although its effect cannot as yet be determined, the Service may well be instrumental in preventing a long and costly strike which would add another page to the lengthy history of poor relations between labor and

management in the industry.

Boards of Inquiry

The temporary Boards of Inquiry which the President is empowered to form under the provisions of the Labor-Management Relations Act have not been included in the chart. This was done because of the extremely short-lived character of the Boards. They may or may not be directed to enter the area of a dispute, such discretion resting with the President himself, and they exist only for the life of the dispute in relation to which they are constituted. Although their temporary nature excluded them from the chart, they should be included in a discussion such as this.

The statement of a Board's findings is the basis for Presidential action ordering the Attorney General to petition the courts to enjoin a threatened or actual strike or lock-out. Obviously, the conduct of the parties during negotiations will necessarily be such that their case will receive favorable consideration in the event a Board of Inquiry intervenes. At this time, current negotiations have not reached a point at which the President must make a decision as to whether or not the Longshore Industry is of sufficient national import to require the use of a Board of Inquiry; however, the mere possibility of the future presence of a Board is enough to alter materially the conduct of the parties, and can safely be assumed to have done so here.

Procurement Agencies

During time of war the Army and Navy procurement agencies' activ-

ities have a profound effect upon the problem at hand. At such times these³ are the principals with whom the stevedoring and terminals companies have direct contractual relations for the performance of labor contracts. Although the Coast Longshore Agreement was in full effect during World War II, the conditions contained in procurement agency contracts acted in fact to determine the conditions under which the industry's labor force worked. This was true simply because the contracts contained those specific conditions to which the agencies would subscribe and they were in turn reflected in the working conditions.

It was the procurement agencies who determined the manner in which the "overtime-on-overtime" suits under the Fair Labor Standards Act (discussed in conjunction with the Wage and Hour and Public Contracts Division of the Department of Labor, above) were to be defended. During the last war the bargaining agent for the majority of the firms in the industry, the Waterfront Employers Association of the Pacific Coast, obtained permission from its members to negotiate an indemnification clause to be inserted into all contracts with the procurement agencies. One of the provisions of this clause provided that the agencies could determine the manner in which any such suits were to be defended. This the agencies did, ordering that all suits be combined into one common defense to be presented by the Department of Justice.

These agencies also directed the method of handling retroactive pay claims (arising under the retroactive pay provisions of the wartime

³Service, Supply, and Procurement Division, General Staff, United States Army; Material Division, Executive Office of the Secretary, United States Navy; both of the National Military Establishment.

Coast Longshore Agreement⁴) in much the same way. There were numerous wildcat stoppages and one organized slowdown of the activities of the port of Los Angeles as a result of the method of payment of these claims, and labor-management relations suffered a distinct set-back. The Army and Navy procurement agencies, then, are of vital importance to the character of labor relations in the industry during time of war.

Department of Justice

There are other agencies of the directly affecting type which should be termed of a lesser magnitude. The Department of Justice is the first of these. The Attorney General is charged, as was pointed out in the discussion of the Boards of Inquiry (above), with obtaining injunctions to halt certain strikes and lock-outs in interstate commerce, and is thus an instrument by means of which the actions of another body become effective.

One of the Assistant Attorneys General is in charge of all suits and other matters arising under the Sherman Act and all other anti-trust laws and the Fair Labor Standards Act. Unions have been effectively removed from the provisions of the anti-trust laws except in cases of collusion with non-labor groups⁵. These laws will still have an effect insofar as they limit the monopolistic activities of firms within the industry. These limitations may quite conceivably affect the economic po-

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Coast Longshore Agreement between the International Longshoremen's and Warehousemen's Union and the Waterfront Employers Association of the Pacific Coast, dated March 19, 1946, Effective October 1, 1944.

⁵Hunt et al. v. Crumboch et al. (1945) 65 S. Ct. 1545

sition and thus the bargaining power of these firms. The implications of the Fair Labor Standards Act have been discussed together with the Department of Labor (above).

Another of the Assistant Attorneys General, who heads the Tax Division, has charge of the prosecution and defense in all courts of civil and criminal suits arising out of the internal revenue laws. The significance of the revenue laws will be considered in conjunction with the Department of the Treasury (below).

Federal Security Agency

The Federal Security Agency was created as a receptacle for those agencies whose major purposes are to promote social and economic security, educational opportunity, and the health of the citizens of the Nation. These functions may seem far removed from the field of labor relations, but certain of the laws which the Agency's units administer are very important to the character of labor-management relations.

Among the "fringe" demands of the IL&WU during the current contract negotiations have been requests for a form of health insurance and pension plan. The presence of a Federal Social Security system and of compensation laws relating specifically to the industry⁶, while again their effect cannot be measured objectively, will have and surely have had much to do with the intensity with which such demands are pressed. The members of a labor force which already is in possession of a retirement program and a system of disability and life insurance

⁶ Longshoremen's and Harbor Workers' Compensation Act approved March 4, 1927 (33 U. S. C. secs. 901-950).

will naturally tend to temper demands for a health and welfare program in favor of other benefits for which they feel a more pressing need. Even though such a demand has appeared at this time its previous absence has undoubtedly been contributed to by the presence of laws such as these. Here then is another area of collective bargaining which has been altered by the activities of a Federal agency.

The effects of the tax aspect of the Social Security laws are also more appropriately discussed together with the Department of the Treasury, and will be taken up immediately.

Department of the Treasury

The Department of the Treasury is primarily charged by law with the management of the national finances. In this respect it administers our Federal internal revenue laws. These taxes have multiplied through the past until at the present time they represent very significant deductions from the gross pay of every working man and woman. Both individual income taxes and corporate income and employment taxes result in serious diminutions of labor's take-home pay, which after all is the aspect of wages which is of primary importance. Individual income taxes appear as direct deductions from gross income, and corporate taxes appear as a lessening of an employer's ability to pay the wage scale which is demanded of him. The recent national conflict over the problem of reduced individual and corporate income taxes in the face of an ever-mounting inflationary spiral served notice that tax considerations are of vital concern to the wage earners of the nation. If wages are significantly reduced, directly and indirectly, through the action of the

tax laws then the effect for our purposes here is an immediate aggravation of wage scale problems. Again a seemingly unconnected agency has become intimately related with the labor problems of industry. The effect of the taxing activities of the Federal Security Agency in connection with the Federal Old Age and Survivors Insurance program is precisely the same. A deduction, even for future benefits, creates a wage problem which is reflected in the character of labor-management relations.

INDIRECTLY AFFECTING AGENCIES

The second group of agencies is made up of those bodies which in one way or another serve to promote, implement or regulate the foreign and domestic trade and commerce of the nation.

A considerable portion of the nation's foreign and domestic trade is carried in American bottoms. This represents the total source of employment for American longshoremen. It is easily seen then that the condition of the shipping industry is of vital interest to the longshore industry.

There is no need to comment on the specific functions of each of these bodies, since the net effect of their activities is an increase in American trade and commerce which in turn means increased revenues for the shipping industry and finally for the longshore industry. It is this change in revenues which operates to influence the character of the labor relations within an industry since it will have a directly proportionate effect upon ability and willingness to consider and grant wage increases, improved working conditions and the other goals for which a

trade union strives. The

The Committee for Reciprocity Information acts as a sounding board for the opinion of industry in relation to trade agreements; the Export-Import Bank of Washington provides certain of the funds which support foreign trade; The Maritime Commission facilitates the construction of the vessels which carry our water-borne trade; the Department of State strives, through national foreign policy, to increase our share of world trade; the Department of Commerce gives assistance to domestic industry; the Federal Trade Commission administers laws directed toward the smoother functioning of the nation's trade activities and the Foreign-Trade Zones Board seeks to create favorable conditions and facilities through which our foreign trade will be expanded. The regulatory activities of the United States Maritime Commission, the Interstate Commerce Commission and the United States Coast Guard are also in the interest of improving and increasing our participation in international trade and commerce.

For all there is a common goal, and upon their success or failure rests much of the success or failure of the employment relationships of labor and management in the Longshore Industry.

III CONCLUSION

The statement made in the opening paragraph of this report stands proven: "The extended presence of the Federal Government is an accomplished fact". Government today is an essential factor in determining the character of labor relations in the Longshore Industry (and it would not be difficult to prove the same relationship for any industry). The Federal Government has reached this position by virtue of a two-headed attack, entering not only into labor matters themselves, but also into trade and commerce, thereby exerting a secondary but extremely important influence upon labor-management relations.

There are three bodies which have been included in the chart which have purposely been left unexamined until this point. These are the International Labor Organization, the International Bank for Reconstruction and Development, and the International Monetary Fund. These three have certain common characteristics. Each of them is an international agency, being composed of the majority of the representatives of the nations of the world. In addition, among the three they mirror the twin character of the effect of the agencies contained in our own Federal Government. In other words, they are simply a double exposure of the picture as it exists at the national level. One acts to influence labor matters themselves, and the other two provide funds and a mechanism to influence the course of world trade and commerce.

The investigation which would ordinarily follow from the facts which have been presented here seems to have its pattern predetermined.

On the one hand we are faced with an ever-increasing number of national departments and agencies entering by one means or another into the character of the labor relations of an industry; on the other are three international bodies presenting exactly the same influences upon the next higher level. The question to be answered then is which of these will eventually survive to be the stronger; or will it be both, and whether one or both, will their influence remain at present levels, decline, or completely envelop the area of investigation? Present conditions are clear, but what of the future?

FEDERAL DEPARTMENTS AND AGENCIES AFFECTING THE CHARACTER OF LABOR RELATIONS IN THE LONGSHORE INDUSTRY

CONSTITUTION

LEGISLATIVE

EXECUTIVE

INDEPENDENT AGENCIES

JUDICIAL

HOUSE

SENATE

PRESIDENT

PUBLIC INTERNATIONAL AGENCIES

EXECUTIVE DEPARTMENTS

Joint Senate-House
Committee on
LABOR-MANAGEMENT RELATIONS

Committee on
EDUCATION &
LABOR

Committee on
LABOR &
PUBLIC
WELFARE

Committee on
INTERSTATE &
FOREIGN
COMMERCE

Committee on
INTERSTATE &
FOREIGN
COMMERCE

Committee on
MERCHANT
MARINE &
FISHERIES

INTERNATIONAL
LABOR ORGANIZATION

An association of nations, financed by governments and composed of representatives of labor, management, and government. Formerly an autonomous part of the League of Nations, the I. L. O. is now a specialized agency of the United Nations. The United States became a member in 1934.

The I. L. O. seeks, by international ratification and enforcement of its covenants to improve labor conditions, raise living standards, and promote economic and social stability.

INTERNATIONAL MONETARY FUND

The Fund came into existence on December 27, 1945, when the Articles of Agreement had been signed on behalf of governments having approximately eighty percent of the total quotas. There are now 45 member governments. On December 18, 1946, official par values were established for thirty-three of the members of the Fund, and on March 1, 1947, operations commenced.

Among others, the purpose of the International Monetary Fund, as stated in the Articles of Agreement is to facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy.

INTERNATIONAL BANK FOR
RECONSTRUCTION
AND DEVELOPMENT

The articles of Agreement were formulated at Bretton Woods in July, 1944. The Bank came into existence on December 27, 1945, when the agreement was signed in Washington on behalf of governments with approximately eighty percent of the total subscriptions.

Among others, the purpose of the bank is to promote the long-range balanced growth of international trade and the maintenance of equilibrium in balances of payments by encouraging international investment for the development of the productive resources of the members.

DEPARTMENT OF STATE

Office of International Trade Policy

Division of Commercial Policy

Formulates, coordinates, and maintains the international commercial policy of the United States. Acts in regard to protection and promotion of American foreign trade and elimination of international discriminatory trade practices and generally promotes multilateral world trade.

Responsible for the application of appropriate principles in foreign relations, as they affect labor, social, and health matters, and for promoting international cooperation in these fields.

Office of Transport & Communications

Shipping Division

Responsible for assuring that national and international policies in shipping are consistent with and advance American foreign policy; for promoting international freedom of waterways, and for promoting the shipping and inland-transport interests of the U. S. abroad.

DEPARTMENT OF JUSTICE

Attorney General

Has power, upon the direction of the President, to petition any appropriate district court to enjoin a strike or lockout if it is found that an actual or threatened stoppage will affect an entire industry or a substantial part thereof, and will imperil the national health or safety.

Assistant Attorney General

Has charge of the prosecution and defense in all courts of civil suits arising out of the internal revenue laws; also in charge of criminal prosecutions arising out of violations of the internal revenue laws.

Has charge of all suits and other matters arising under the Sherman Act and the Fair Labor Standards Act.

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

Income Tax Unit

Administers the Federal income and profits tax provisions of the revenue laws.

Employment Tax Unit

Administers employment taxes under the Internal Revenue Code, Federal Insurance Contributions Act (with respect to employment by carriers), and the Employment Tax Act.

United States Coast Guard

Supervises the loading and unloading of explosives and other dangerous cargoes, in the interest of safety to life and property, by merchant vessels in harbors; enforces maritime laws and protects maritime commerce.

The Tax Legislative Council

Assists the Treasury Department's program in regard to amendment, interpretation and promulgation of internal-revenue laws.

DEPARTMENT OF LABOR

Secretary of Labor

Charged with the duty of fostering, promoting, and developing the welfare of the wage earners of the United States, improving their working conditions, and advancing their opportunities for profitable employment. Has authority to direct the collecting, collating, and publishing of full and complete statistics of the conditions of labor and its products and their distribution. Also gathers and publishes information regarding labor interest and labor controversies in this and other countries; promulgates and supervises the enforcement of certain maximum hour, minimum wage, child labor, safety and health stipulations in connection with Government supply contracts; publishes such results of these investigations as may seem wise.

Bureau of Labor Statistics

Collects data and publishes useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.

Wage and Hour and Public Contracts Division

Responsible for the administration of the minimum wage, maximum hour and overtime pay provisions of the Fair Labor Standards Act and the minimum wage, hour, child labor, convict labor, and safety and health stipulations of the Walsh-Healey Public Contracts Act.

Office of the Solicitor

Acts as legal adviser to the Secretary and to the other administrative officers of the Department. Performs legal services for the divisions and bureaus within the Department and assists in the preparation of administrative rules, regulations and interpretations of statutes administered by the Department. Supervises the predetermination of prevailing rates of wages on Federal contracts. In charge of the litigation of the Department and assists in the preparation, trial and briefing of cases involving departmental activities handled by the Department of Justice.

Division of Labor Standards

Develops desirable standards in labor law administration and legislation; makes specific recommendations concerning methods and measures designed to improve working conditions; promotes amicable industrial relations and labor-management cooperation, and in so doing, makes available to interested parties the resources of the Department and other pertinent material. Acts to strengthen State labor departments and through them to assist in reducing industrial accidents and occupational diseases; promotes Federal-State cooperation in labor law administration and in the implementation of international labor standards and to perform the duties imposed upon it by the Labor-Management Relations Act pertaining to the filing of information by labor organizations.

Veterans Reemployment Rights Division

Assists former members of the armed forces and of the Merchant Marine to exercise their reemployment rights as provided by the Selective Training and Service Act and related statutes.

DEPARTMENT OF COMMERCE

Secretary of Commerce

Charged, among other duties, with the promotion of foreign and domestic commerce and the development of inland waterways transportation.

Assistant Secretary for Foreign and Domestic Commerce

Exercises immediate direction and supervision over the Bureau of Foreign and Domestic Commerce.

Bureau of Foreign and Domestic Commerce

Office of International Trade

Fosters and promotes the foreign commerce of the United States by promoting trade interest in exports and imports; by encouraging and facilitating the expansion and balanced growth of international trade; by promoting the stability of international economic relations; by cooperating with other nations in the solving of trade and exchange problems; by facilitating trade with former enemy nations and by reducing obstacles to and restrictions upon international trade.

Office of Domestic Commerce

Promotes and fosters domestic commerce by stimulating and assisting domestic industry in its problems relating to production, construction, distribution, marketing and transportation; commodity, industry, and marketing analysis; contacts with trade associations, State and Federal agencies and advocates Government policies, procedures, and laws to stimulate industry and commerce.

Bureau of the Census

Collects and publishes data on the characteristics of and activities in foreign trade and other subjects, including dollar value, net quantity, weight, routing and nationality of the carriers of imports and exports.

Office of Technical Services

Promotes the foreign and domestic commerce by providing business and industry with technical information and services.

NATIONAL MILITARY ESTABLISHMENT

Department of the Army

Secretary of the Army

Directs the Corps of Engineers in the improvement of the waterways of the United States; issues permits for wharves, piers, and other works upon navigable waters; responsible for the removal of wrecks from navigable waters.

Service, Supply, and Procurement Division, General Staff, United States Army

Responsible for all matters of service, supply and procurement pertaining to the Army, including distribution and storage of supplies and equipment.

Department of the Navy

Procurement Policy Branch, Material Division, Executive Office of the Secretary

Formulates and promulgates policies and general procedures governing activities of the Navy with respect to the procurement of materials and facilities. Reviews and evaluates compliance with such policies and procedures and issues such orders as may be required to assure compliance.

FEDERAL SECURITY AGENCY

Bureau of Employees' Compensation

Administers, among others, the Longshoremen's and Harbor Workers' Compensation Act which covers employees in private industry engaged in maritime employment on the navigable waters of the United States who sustain injury or death arising out of, and in course of, employment, as amended to include work done in the District of Columbia and at certain military, air or naval bases.

Social Security Administration

Administers the old-age and survivors and all other programs under the Social Security Act, as amended.

FEDERAL TRADE COMMISSION

Administers the Federal Trade Commission Act, certain provisions of the Clayton Act and the Export Trade Act.

The Commission's legal functions include prevention of unfair methods of competition and unfair or deceptive acts or practices in commerce, and of certain violations of the Clayton and other acts. Economic functions include general investigations and economic studies of domestic industry and interstate and foreign commerce.

EXPORT-IMPORT BANK OF WASHINGTON

The purpose of the Bank is to aid in the financing and facilitating of exports and imports and the exchange of commodities between the United States or any of its Territories or insular possessions and any foreign country as the agencies or nationals thereof.

In accordance with the statutes governing its activities, the Bank makes only loans and guarantees which serve to promote the export and import trade of the United States.

COMMITTEE FOR RECIPROCITY INFORMATION

The Committee was created by Executive order to carry out the provisions of Section IV of the act entitled "Promotion of Foreign Trade", under which the President is authorized to enter into trade agreements with foreign countries. The act provides that before any foreign-trade agreement is concluded, public notice of the negotiations shall be given in order that any interested person may have the opportunity of presenting his views to the President or to such agency as the President may designate. The President designated the Committee for Reciprocity Information as the body to receive the views of interested parties.

NATIONAL LABOR RELATIONS BOARD

The NLRB administers the National Labor Relations Act as amended by the Labor-Management Relations Act, 1947.

The board protects employees in their right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and in their right to refrain from doing any of the above acts. The Board is empowered to prevent any person (employer or employee) from engaging in any unfair labor practice, as they are defined in the amendment; to determine the unit appropriate for collective bargaining and to supervise elections to determine bargaining representatives within the appropriate unit. The Board is also empowered to make all hearings and investigations, which, in the opinion of the Board, are necessary and proper for the exercise of the powers vested in it (above). The General Counsel of the Board has final authority, on behalf of the Board, to investigate charges of unfair labor practices, and the issuance and prosecution of unfair labor practice complaints.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The Service was created by the Labor-Management Relations Act, 1947, which also transferred to the Service all mediation and conciliation functions of the Secretary of Labor and the U. S. Conciliation Service.

The principal objective and duty of the Service is to prevent or minimize interruptions of the free flow of commerce growing out of labor disputes in industries affecting commerce by assisting the parties to settle such disputes through conciliation and mediation. In carrying out its duties the Service places primary emphasis upon the prevention of disputes and the promotion of the collective bargaining process. Normally the Service provides its services only when there is threatened such a significant interruption of commerce as clearly to require Federal intervention. The Service cooperates fully with State conciliation services and suggests the fullest utilization of such facilities.

The Labor-Management Relations Act also established the National Labor-Management Panel, to be composed of twelve members appointed by the President, equally divided between representatives of management and labor. The duty of the panel is to advise the Director of the Service on the avoidance of industrial controversies and the manner in which mediation and voluntary adjustment shall be administered, particularly with reference to controversies affecting the general welfare of the country.

UNITED STATES MARITIME COMMISSION

The duties of the Commission include the investigation and determination of the ocean services, routes and lines from points in the United States to foreign markets essential for the development and maintenance of the foreign commerce of the United States, and determination of what additions and replacements of the American merchant marine are required to create an adequate and well-balanced merchant fleet; also extends aid and grants subsidies to facilitate the construction and operation of new vessels.

Regulatory powers extend to all common carriers by water engaged in foreign commerce of the United States and to all persons carrying on the business of forwarding or furnishing wharfage, dock, warehouse, or other terminal facilities in connection with common carriers by water. These powers are principally in relation to rates, fares, charges, regulations, and practices. The Commission possesses quasi-judicial authority to receive and determine complaints of shippers, passengers, and others alleging unreasonableness or unjust discrimination by common carriers by water.

INTERSTATE COMMERCE COMMISSION

Administers certain acts for the regulation and control of carriers in interstate commerce, with regard to licensing, rates, connecting facilities between rail and water carriers, liability of water carriers for loss of property, and financing; the Transportation Act, 1940, containing a new declaration of policy providing for fair and impartial regulation of all modes of transportation subject to the act . . . and encouraging fair wages and equitable working conditions in interstate transportation.

FOREIGN-TRADE ZONES BOARD

The Foreign-Trade Zones Board was created by an act of Congress approved June 18, 1934. Its duties are (1) after careful analysis of applications and thorough investigation of such applications, to issue grants to public and private corporations for the privilege of establishing, operating and maintaining foreign-trade zones in ports of entry of the United States for the purpose of expediting and encouraging foreign commerce, and (2) to administer the law governing the operation of such zones.

Within the foreign-trade zone commodities are substantially free from usual customs regulations and a considerable degree of freedom is allowed in the handling of such goods within the zone.

SUPREME COURT OF THE UNITED STATES

CIRCUIT COURT OF APPEALS OF THE UNITED STATES

DISTRICT COURTS OF THE UNITED STATES

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