

IRR newsletter

VOLUME 8 - No. 9

November 9, 1966

NEXT MEETING

Date: Tuesday, November 15, 1966

Time: 6:00 P.M. - No Host Cocktails
7:00 P.M. - Dinner
8:00 P.M. - SpeakerPlace: THE BOARDROOM RESTAURANT
3361 West 8th Street
Los Angeles

Program: WORKMEN'S COMPENSATION: USES AND ABUSES

Speaker: GEORGE C. ALLEN

Please make reservations no later than MONDAY, November 14, 1966. Call Rita Sann at 272-8911, Ext. 2425.

If you are unable to attend the dinner, you and your friends are welcome to listen to Mr. Allen's talk at 8:00 P.M.

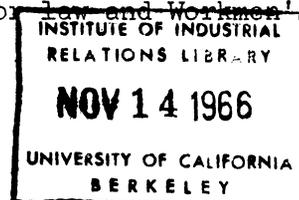
NEWS BRIEF

ON SPEAKER

FOR NOVEMBER

George C. Allen is a member of the law firm of Levy, DeRoy, Geffner & Van Bourg. Mr. Allen was educated at the San Francisco State College, at Ruskin College in Oxford, England, where he did graduate work in Economics, and at the University of San Diego, where he received his LLB degree.

Mr. Allen was closely associated with the trade union movement between 1946 and 1956. He was the Business Agent for the Watchmakers and Jewelers Unions 1946-49, Associate Research Director for the Building Service Employee's Union, Joint Council #8 from 1950-53, and Research Director in 1954. Representative of California State Council of Building Service Employee's Union in 1956, Secretary-Treasurer of Building Service Employee's Union, Local 102, San Diego. In addition, he was trade union consultant to the Organization for European Economic Cooperation in Paris, and lecturer on trade unions in University of California Extension courses on campuses in Los Angeles, San Diego, and Riverside. Presently Attorney Allen specializes in labor law and Workmen's Compensation cases in Pomona.



PAST PROGRAM At the last meeting of the Alumni Association Mr. Peters described organized labor today, contrasting it with the period before the passage of the National Labor Relations (Wagner) Act. Historically, organized labor represented only a small percentage of the national work force, and that membership was mostly in the craft unions. He noted that the NLRA was passed with very little support from labor and relative indifference by President Franklin D. Roosevelt. While the NLRA was being fought out in the courts and eventually held to be constitutional, the test of strength with the auto and steel industries was mostly won by the CIO. Labor did use the Act's provisions effectively thereafter; its membership increased from less than 3,000,000 to about 13,000,000 in a very few years.

Mr. Peters also commented on the ideology of the labor movement in the United States which is different from those in other countries. In England, for example, he noted the political orientation of the movement and found that union-shop contract provisions were absent. Yet almost all workers belonged to a union representative of their job classifications. Few workers entertained any aspirations or hopes to move into the employer or management class; in the U.S., however, union members find no inconsistency in being a union member and endeavoring to improve their economic lot.

Contracts in Europe are usually broad, generalized statements of policy, while day-to-day work problems are resolved on the job by the shop steward. The leadership of the union concerns itself with negotiating industry-wide wage rates and political maneuvering, while the steward wields the actual power within the plant, sometimes in defiance of his union's leadership. Labor agreements in the U.S. are legal documents establishing specific working rules on as many subjects as the parties can think of and agree upon. Both labor and management are pragmatic in their approach to every problem. Each codicil in the contract must be strictly adhered to, or the dispute becomes a matter of formal grievance procedure. For example, lay-off procedures are generally minutely described in contracts in this country. In Europe, however, when an employer finds it necessary to reduce the work force, he discusses it and the mechanics thereof with the shop steward on each occasion. In Germany, labor and management serve on "co-determination" committees, and formal in-plant union structures as understood in the U.S. are not found there. In fact, said Mr. Peters, this type of "unionism" serves to keep unions out of the plant!

Mr. Peters briefly touched on the current dialogue on compulsory arbitration and ventured the opinion that it is not likely to become accepted in this country in the foreseeable future. He also commented on the organizational activities among public employees throughout the country. He felt that the informal association prevalent today will be supplanted by formal labor union organizations, and that the various public bodies, as well as the public in general, will soon come to accept this. Also, these public-employee unions will, before too long, be accorded the legal right to strike.

BYLINES

On November 3 and 4, a seminar on "Employee Organization and Collective Bargaining in Public Employment" was conducted at the Santa Ynez Inn for personnel officers from all campuses of the University of California.

BY

BEN

NATHANSON

Institute of Industrial Relations staff members Paul Prasow, Arthur Carstens, Angus MacLeod, Fred Schmidt, Ted Ellsworth, and Archie Kleingartner led several of the discussion sessions. Also invited to address the group were: Ben Nathanson, president of the Institute of Industrial Relations Alumni Association (UCLA), who spoke on management preparations for collective bargaining; Cone Bass, consultant to the Southern California Rapid Transit District, and Ralph Eliaser of Daniel Johnston & Associates, economic advisers to unions, who discussed the subject from the viewpoint of public bodies and the union, respectively.

Mr. Nathanson touched briefly on the differences in collective bargaining techniques used in private industry and by public agencies, such as the University, city councils, boards of education and their counterpart associations or unions. He noted that the deadline or impending strike pressures are rarely factors in public employment bargaining. Though there are exceptions, such strikes are more commonly considered demonstrations, and public opinion rarely influences either party conclusively. Not even the inconvenience caused by the recent transit strike in New York City in mid-winter did anything more than evoke the usual demand for "There ought to be a law!" There already was a law, as a matter of fact. But, Congress echoes with demands for compulsory arbitration, or for the army to man the vacated jobs.

Public bodies, operating on annual appropriations, are not concerned with loss of profits or customers. But when a strike occurs in a private employer's plant, that employer must be concerned with whether his competitor will capture his customers, and whether the cost increase necessary to prevent or conclude a strike will so affect the price of his product and he might lose his customers (and profits) for that reason.

Mr. Nathanson also deplored the lack of knowledge or professionalism among public bodies in their conduct of bargaining with representatives of their employees. He cited as evidence the recent handling of demands from the county social workers, city garbage collectors, and the present impasse between the musicians and the Los Angeles Symphony Association--a quasi public body.

Despite these differences, however, the preparation requirements of collective bargaining for public and private employers are very similar. One should know the organization representing the employees involved and its spokesmen. And one should know every avenue to gain source data, not only about the economic issues to be debated, but also the personalities involved. What motivates the employees' spokesman as an individual? Is he a leader whose recommendations the membership will accept? Does he control his committee? What is the history of the organization he represents? These are all questions that should influence the employer's spokesman's strategy. Concurrently, some educated guesses should be made of the union demands, so that the countervailing arguments can be prepared in advance.

At the seminar all three panel members agreed that negotiating committees should be kept as small as possible in the interest of achieving an agreement. The desirability of having one spokesman for each side, rather than uncontrolled cross-table argument, also found unanimous agreement. Though one side or the other might, on occasion, engage in histrionics to underscore some point, it should be accepted at face value, or even responded to in kind, without engendering animosities that could complicate settlement of the dispute. Every employer recognizes the other party's endeavors to secure an advantage and makes every effort to do so himself. But once a commitment is made, or a promise clearly given, it must be fulfilled. For the basic ingredient in bargaining, all agreed, is good faith.

CERTIFICATE AWARDED IN NOVEMBER TO:

Leonard B. Gardner, North Hollywood

EMPLOYMENT

OPPORTUNITIES

An opening now exists for a person with experience in handling labor negotiations and grievances in The Los Angeles Newspaper Guild. Interested parties may secure further information by calling DAN SWINTON at The Los Angeles Herald-Examiner, 748-1212

A position will be open at U.C.L.A. The California State Employees Association will appoint a representative and consultant for its members on the Westwood campus. For further information call Joe Tribulato, 272-8911, ext. 2946.

MEMBERSHIP APPLICATION

Name _____ Address _____
Home Phone _____ City _____ Zone _____
Occupation _____ Title _____
Employer's Name _____ Address _____
Bus. Phone _____ Ext. _____ City _____ Zone _____

I hereby apply for membership in the Industrial Relations Alumni Association.
Enclosed is my check in the amount of \$5.00 payable to the Industrial Relations
Alumni Association.

Signed _____ Date _____

Please clip and mail to Rita Sann, Institute of Industrial Relations, UCLA,
Los Angeles, California 90024.