

# IR newsletter

Volume 8 - No. 17

October 2, 1967

Date: Tuesday, October 17, 1967

Time: 6:00 P.M. - No Host Cocktails  
7:00 P.M. - Dinner  
8:00 P.M. - Speaker

Place: THE BOARDROOM RESTAURANT  
3361 West 8th Street  
Los Angeles, California

Speaker: PAUL JACOBS

Please make reservations by calling Rita Sann, 272-8911, ext. 2425 or returning the enclosed self-addressed card. If you are unable to attend the dinner, you and your friends are welcome to hear Paul Jacobs' address at 8:00 P.M.

## NEWS BRIEF

## ON SPEAKER

## FOR

## OCTOBER

It is with great pleasure that we present Paul Jacobs, provocative speaker and distinguished author on labor problems and other social issues. Mr. Jacobs was born in New York City in 1918; he attended City College in New York and the University of Minnesota. He first became active in the union movement as an organizer, and later served as an international union representative, co-publisher of a labor paper, and labor consultant. Mr. Jacobs is on the staff of the Center for the Study of Democratic Institutions and is associated with the Center for the Study of Law and Society at the University of California, Berkeley. His most recent book "Is Curly Jewish?" was published in 1965. He is also the author of "State of the Unions," published in 1963.

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PAST                    The Honorable Ralph H. Nutter, Judge Presiding of the  
PROGRAMS                Writs and Receivers Department of the Superior Court,  
                             Los Angeles, discussed the state of labor relations  
                             and collective bargaining in the private and public  
                             sector of employment.

                             The calendar of Department 65, the Writs and Receivers  
Department of the Superior Court of Los Angeles, averages 80 cases a week.  
This volume often does not permit the court to take a case under submission  
and an immediate ruling is required. Labor relations disputes involve a  
small percentage of the work of this department.

                             Attorneys requesting temporary restraining orders should  
be careful to submit competent, relevant and material evidence to sub-  
stantiate the allegations of the complaint. In seeking an injunctive relief,  
they should remember that an injunctive court order is in effect a private  
criminal law which deprives defendants of the constitutional right of trial  
by jury. Also, lawyers should consider that injunctive relief and orders  
are usually enforced against laymen; therefore, language should be used  
which can be understood by laymen or the order will fall because of un-  
certainty.

                             In cases where there is an attempt to limit the number of  
pickets or the character of picketing, the moving party should submit a  
map of the plant location. All exits and entrances should be clearly shown,  
so that there will be no confusion concerning the number of pickets at the  
respective locations.

Recently there has been an increase in the number of attempts to enjoin wildcat strikes. In many cases union members have rejected the settlement agreed to by the leadership of the local or international; it appears to this court that in some situations the leadership welcomes it enforcement of the contract by a court order. In addition, there have been a few Cartwright restraints of trade cases. It seems that in the future this will be a fertile source of litigation.

It has been the experience of this department that the great majority of the litigants are anxious for a fair and just decision of the court. In ruling on requests for injunctive relief, the court must not throw its weight to one side or the other, but should balance the equities and avoid interference with the merits of the labor dispute. The court has been impressed by the high standards of courteous and fair treatment of lawyers for both sides.

In the private sector in labor relations, both sides appear to have reached a fairly high state of sophistication, and it seems that an era of maturity lies ahead.

The public sector, on the other hand, is in its infancy. Any party involved in administering labor relations in that sector faces innumerable problems, not the least of which are the administration of the present tax structure and the revolt of the taxpayers. Hence, regardless of the good faith of the parties, collective bargaining presents extremely difficult problems. For the next few years it seem unlikely that the resolution of grievances in the public sector will parallel that of the private sector. It will be a long time before the parties on each side can achieve the level of understanding now generally prevalent in the private sector. Both sides seem unaware of the unique character of collective bargaining, where

governmental units have certain statutory responsibilities unknown to private management. In the final analysis, the problems of collective bargaining in the public sector cannot be solved by court orders but by increased education and understanding, and it may take many years before this level is achieved.

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CERTIFICATES AWARDED IN OCTOBER 1967

Edward P. Behlke - North Hollywood

Bernice K. Hird - La Habra

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NEW  
PUBLICATIONS

REPRINTS

- No. 168 Emerging Trends in Public Labor Policies and Union-Government Relations in Asia and Africa, by M. Ali Raza (1967)
- No. 169 The Development of Judicial Arbitration in Labor-Management Disputes by Paul Prasow and Edward Peters (1967)
- No. 170 Party, Government and the Labour Movement in Mexico: Two Case Studies, by Frederic Meyers (1967)
- No. 171 Fighting Poverty: The View from Watts, by Paul Bullock (1967)
- No. 172 Nurses, Collective Bargaining and Labor Legislation, by Archie Kleingartner (1967)

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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.