

IIR newsletter

Volume 15 - # 2

Date: Wednesday, November 8, 1972

Place: Olympian Hotel (Chariot Room)
1903 West Olympic Blvd.
Los Angeles, CaliforniaTime: 6:00 pm - No Host Cocktail
7:00 pm - Dinner (\$4.75 per person)
8:00 pm - SpeakerSpeaker: Mr. Sam Kagel, Attorney and Arbitrator

Please make reservations by returning the enclosed card and your check (\$4.75 per person) to Sonia Portales, Institute of Industrial Relations, University of California, Los Angeles, California 90024, or by calling 825-3180. Make checks payable to I.I.R. Alumni Association.

THE SPEAKER

Mr. Kagel, an internationally known authority on arbitration, holds a distinguished record for new and innovative approaches to the field of arbitration. His decisions as arbitrator involving disputes in the longshore and waterfront industries as well as the medical industry in San Francisco have added to his reputation of expertise and excellence. Mr. Kagel will discuss current developments and new approaches to dispute settlement. We urge you to attend this meeting and bring your friends.

SUMMARY OF OCTOBER 11, 1972, MEETING

Mr. William J. Usery, Jr., Assistant Secretary of Labor for Labor-Management Relations, U.S. Department of Labor, recalled the present Administration's labor-management relations policy, as enunciated in a speech by presidential candidate Nixon in 1968:

" I believe the Federal Government ought not to intervene with the give and take of collective bargaining unless there are compelling reasons ... I do not agree with those who say that Government should sit at every bargaining table; that would destroy collective bargaining and undermine free enterprise. In the next Administration, hard bargaining will be the order of the day. The Federal Government will step in only when the failure of that process endangers the health or safety of our Nation, or when other legislation, such as the Railway Labor Act, requires it."

This do-it-yourself policy was put into practice in the first weeks of the Nixon Administration, in connection with the Longshore dispute, which had been dragging on into a strike situation for some weeks before the inauguration in 1969. George Shultz, Nixon's first Secretary of Labor, offered advice and counsel, but did not seek injunction under the Taft-Hartley Act. The parties arrived at a settlement with the help of the Federal Mediation and Conciliation Service.

Mr. Usery then discussed his involvement with the "helping hand" part of the policy. He explained that that policy, in contrast to the "strong-arm" methods in national interest disputes, allows the system to function, but helps get it off dead-center when it is stalled. He said that it is relatively simple, when all of the nation's railroads are shut down, to see in a matter of days if not hours that a national emergency exists. For example, meat doesn't reach the markets, the entire flow of goods is stopped, business and industry, produce and jobs, every artery and vein of commerce are affected almost immediately.

However, when one or two railroads or an airline shut down, that is another story. What one farmer or one businessman considers a national emergency -- because of its effect on his business or perishable produce -- does not meet the national emergency test that calls for extreme and immediate action.

The Assistant Secretary recounted how difficult it is to listen to a farmer from Georgia, telling you that he will lose one million chickens if he doesn't get feed in a day or two, and trying to explain to him that one railroad shutdown doesn't qualify as a national emergency! He then asked all labor-management practitioners to use their best efforts in designing a plan to reconcile the right to strike with the right to resist union demands -- the right of farmers to move their products, the right of commuters to have uninterrupted transportation services, etc.

Mr. Usery also related some of his experiences in helping to settle the postal strike in 1970 and negotiating the first collective bargaining agreement between the postal unions and the U.S. Postal Service. He pointed to the impetus Executive Order 11491, "Labor Management Relations in the Federal Service," has given to union organization of federal employees, and how the Order has strengthened their rights more than ever before in the history of the federal service.

Finally, the Assistant Secretary discussed the President's Labor Day announcement concerning the establishment of a National Commission for Industrial Peace, to be appointed after the election. The Commission's purpose will be to explore ways in which labor and management can harmonize their differences at the bargaining table, freely and constructively. The President will look to the Commission for recommendations on how to improve the collective bargaining process; how the government can be more helpful to the parties in the bargaining process; and how the interest of the public can be reflected in the outcome as well as the process of collective bargaining. The Commission also will consider the problem of strikes in the transportation industry -- especially those which affect the nation's economy.

Mr. Usery concluded his remarks by emphasizing that collective bargaining is here to stay, but he pointed out that labor and management must work harder to get along with each other, and to resolve disputes themselves, because if they don't, they face the very real possibility of imposed settlements.

CERTIFICATE PROGRAMS

GRADUATION

At our October 11, 1972, meeting, the following graduates were awarded certificates for having successfully completed the Institute of Industrial Relations certificate programs:

Industrial Relations:

Armando L. Balderrama
Peter T. Conforti
Willard Hall, Jr.
John Edward McBride
Kim John Waldhanz

Public Sector Labor-Management Relations:

Paul P. Keil

Labor Studies:

Gasper A. Bontempo
Sid Weiss

NEW GRADUATES

During the summer, 1972, four persons completed all requirements for the certificate in Industrial Relations, and two, the Public Sector Labor-Management Relations Curriculum. They will be awarded certificates at the meeting of November 8, 1972.

FORTHCOMING EVENTS

PRIVATE SECTOR MANAGEMENT PROGRAMS

- Current Trends and Resources in Preventing Occupational Health Problems
Date: November 8, 1972
Place: Airport-Marina Hotel, Los Angeles
- Executive Compensation Planning - Current Trends and their Long Range Impact
Date: November 28, 1972
Place: Airport-Marina Hotel, Los Angeles

PRIVATE SECTOR MANAGEMENT PROGRAMS (continued)

- The Dynamics of Team Building (5th Workshop on Organizational Development)
Dates: November 14-15, 1972
Place: Santa Ynez Inn, Pacific Palisades
- Fifth Laboratory on Life Planning
Dates: November 30-December 3, 1972
Place: Santa Ynez Inn, Pacific Palisades

For further information on the above programs, please call Lisa Rosenberg or Mary Wright, 825-1888 or 825-3089.

PROGRAMS UNDER THE INTERGOVERNMENTAL PERSONNEL ACT OF 1970 (For Governmental Managers)

- Grievance Processing and Arbitration Workshop
Dates: November 30-December 1, 1972
Place: Hedrick Hall, UCLA Campus
- Torrance Mid-Level Management Conference and Workshop on Labor-Management Relations
Dates: December 8-9, 1972
Place: Hedrick Hall, UCLA Campus
- Collective Negotiations for Public Management - Strategy and Techniques Conference and Workshop
Dates: December 13-15, 1972
Place: Sacramento Inn, Sacramento

For further information on the above programs, please call Joan Gusten, 825-416

CENTER FOR LABOR RESEARCH AND EDUCATION

- Government Insurance Programs and the Labor Union (Labor Studies Course)
Dates: October 25, November 1, 8, 15, 29, December 6, 13, and 20, 1972
Place: University Extension Downtown Center, Los Angeles
- Unions and Governmental Agencies (A special Labor Studies course for the Federal Employees Metal Trade Council, Long Beach)
Dates: October 25, November 1, 8, 15, 29, December 6, 13, and 20, 1972
Place: Long Beach Naval Shipyard
- Steward Training Seminar for the United Furniture Workers of America, AFL-CIO, Local # 1010
Dates: November 4-5, 1972
Place: Santa Ynez Inn, Pacific Palisades

For further information on the above programs, please call Sonia Portales, 825-3180.

NEWS

The Institute of Collective Bargaining and Group Relations, Inc., announces the establishment of up to six \$1,000 research Fellowships for the 1972-73 academic year. The Fellowships will be awarded on a competitive basis to students undertaking individual research projects; all students interested in the collective bargaining process may apply. Applications must include: a) a brief description of the field to be investigated including a statement of its importance to the future of collective bargaining; b) a proposed research design; c) a nominating statement from the director of the school or institute of industrial relations or other faculty member who will sponsor the student's research.

Applications or requests for further information should be addressed to Miss Barbara Gray, Secretary-Treasurer, Institute of Collective Bargaining and Group Relations, Inc., Automation House, 49 East 68th Street, New York, N.Y. 10021, (212) 628-1010, no later than November 1, 1972.

PUBLICATIONS

The following reprints can be secured from Kathy Green, Publications Department, Institute of Industrial Relations, UCLA, Los Angeles, California 90024 (cost: .35¢ per copy):

- # 229 - Judicial and Administrative Deference to Arbitration, by B. Aaron
- # 230 - Criteria in Public Sector Interest Disputes, by Howard S. Block
- # 231 - A Theoretical Framework for Scope of Negotiation in the Public Sector, by Paul Prasow and Edward Peters

- - - - -