

FEDERAL MEDIATION AND CONCILIATION SERVICE

WASHINGTON, D. C.

1973 Negotiations:

A Championship Year for Collective Bargaining

An Address

by

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I ALWAYS FIND IT A PLEASURE TO SPEAK TO AN AUDIENCE THAT IS MADE UP OF PEOPLE WHO ARE DEEPLY INVOLVED IN OUR FREE COLLECTIVE BARGAINING PROCESS.

AND I AM ESPECIALLY PLEASED THAT OUR AGENCY--THE FEDERAL MEDIATION AND CONCILIATION SERVICE--HAS BEEN A CO-SPONSOR OF THIS EVENT SINCE IT BEGAN THREE YEARS AGO.

JIM MACPHERSON, THE FELLOW WHO WAS SO KIND IN INTRODUCING ME, IS OUR AGENCY'S LEADING APOSTLE OF FMCS INVOLVEMENT WITH THE COLLECTIVE BARGAINING COMMUNITY.

COMMISSIONERS UNDER HIS DIRECTION
IN ALL PARTS OF OHIO AND MICHIGAN ARE
CONTINUALLY WORKING TO BRING REPRESENTA-
TIVES OF LABOR AND MANAGEMENT, THE GOVERN-
MENT AND THIRD-PARTY NEUTRALS TOGETHER
IN A CLIMATE OF HARMONY.

CONFERENCES SUCH AS THESE REQUIRE
HARD WORK. THEY DON'T GENERATE THE EXCITE-
MENT OR THE GLAMOUR OR THE ATTENTION OF
STRIKES OR LOCKOUTS.

BUT THIS STEADY DRUMBEAT FOR REASON
AND RESPONSIBILITY IN OUR WORLD OF LABOR-
MANAGEMENT RELATIONS IS LEAVING ITS MARK.
IT IS MAKING AN IMPACT THAT IS FAR MORE
SIGNIFICANT THAN ANY WAR BETWEEN THE EM-
PLOYER AND HIS EMPLOYEES.

IT IS MY BELIEF THAT THE SUCCESS WE HAVE SEEN IN NEGOTIATIONS THIS YEAR CAN BE TRACED LARGELY TO CONFERENCES LIKE THIS ONE--TO THAT STEADY DRUMBEAT FOR LABOR-MANAGEMENT PEACE THAT HAS BEEN BUILDING ACROSS OUR LAND DURING THE PAST FEW YEARS.

NINETEEN-SEVENTY-THREE HAS BEEN A YEAR OF SIGNIFICANT CHANGE AND ADVANCEMENT. BOTH LABOR AND MANAGEMENT--AND PEOPLE LIKE MYSELF WHO ARE IN-BETWEEN--ARE UTILIZING OUR TIME, OUR TALENTS AND OUR ENERGY TO FINDING ACCEPTABLE WAYS OF REPLACING FORCE WITH REASON IN SOLVING INDUSTRIAL RELATIONS' PROBLEMS.

FOR TOO LONG, STRIKES HAVE BEEN CALLED BY UNIONS--AND ACCEPTED BY MANAGEMENT--AS A TEST OF STRENGTH AND WILL.

BUT IN RECENT YEARS--AND IN THIS YEAR 1973 IN PARTICULAR--REASON AND RESPONSIBILITY APPEAR TO BE WINNING THE UNDERLYING STRUGGLE AGAINST COMPULSION AND DOMINANCE.

WE ARE SEEING TRADITIONAL ANTAGONISTS COMING TOGETHER IN A BILATERAL SEARCH FOR EQUALLY BENEFICIAL ANSWERS TO THEIR MUTUAL PROBLEMS.

BOTH LABOR AND MANAGEMENT LEADERS ARE FOCUSING ATTENTION ON HOW TO AVOID STRIKES, RATHER THAN ON HOW TO DEAL WITH STRIKES.

THIS CONDITION HAS THE MAKINGS OF A DREAM COME TRUE FOR THE THIRD-PARTY NEUTRALS--

AND PARTICULARLY FOR MEDIATORS LIKE MY-
SELF WHO HAVE LONG PREACHED REASON AND
DEPENDED ON OUR SKILLS OF PERSUASION TO
SIDETRACK CONFLICT.

NINETEEN-SEVENTY-THREE HAS BEEN
A BANNER YEAR FOR THOSE OF US WHO KEEP A
SCORECARD ON PEACEFUL LABOR-MANAGEMENT
RELATIONS.

EARLY THIS YEAR, I WAS PRIVILEGED
TO BE NAMED BY THE PRESIDENT TO DIRECT
THE PRIMARY LABOR-MANAGEMENT PEACEMAKING
BODY OF THE UNITED STATES GOVERNMENT--THE
FEDERAL MEDIATION AND CONCILIATION SERVICE.
AT THAT TIME, THE DOOMSDAY BOYS WERE PRE-
DICTING A YEAR OF INDUSTRIAL RELATIONS
CHAOS.

THEY WERE BASING THEIR DIRE PREDICTIONS ON THE FACT THAT CONTRACTS AFFECTING SOME FIVE MILLION UNION MEMBERS WOULD EXPIRE THIS YEAR. THAT WAS A 60 PERCENT INCREASE OVER THE 1972 RATE--AND IT WAS COMING AT A TIME WHEN INFLATION AND CONTROLS AND SHORTAGES WERE EXPECTED TO MUDDY THE WATERS.

CONTRACTS WERE DUE TO EXPIRE IN MANY OF OUR BASIC PRODUCTION AND SERVICE INDUSTRIES--RAILROADS AND TRUCKING . . . THE POSTAL SERVICE. . . AUTO AND RUBBER AND OIL . . . MEATPACKING AND LONGSHORING AND SHIPBUILDING . . . FARM EQUIPMENT AND ELECTRICAL GOODS. ADD TO THIS A RECORD-BREAKING 7,000 AGREEMENTS THAT HAD TO BE RENEGOTIATED IN THE BUILDING TRADES.

NOT SINCE POST-WORLD WAR II DAYS
HAD SO MANY CONTRACTS IN BASIC INDUSTRIES
AFFECTING SO MANY MILLIONS OF WORKERS MET
THEIR DUE-DATE IN A GIVEN YEAR.

WHAT WERE THE RESULTS?

WELL, THE DOOMSDAY BOYS WERE WRONG.

WE ARE COMING OUT OF 1973 IN CHAM-
PIONSHIP STYLE. WE NOT ONLY HAVE MET THE
CHALLENGE, WE ARE FINISHING THE YEAR WITH
THE LOWEST RATE OF TIME LOST DUE TO WORK
STOPPAGES SINCE 1964.

THE SCORECARD TELLS US THAT OF
EVERY 1,000 DAYS OF SCHEDULED PRODUCTION
TIME, JUST EIGHT HOURS AND FORTY-EIGHT
MINUTES WERE LOST BECAUSE OF STRIKES.

SAID ANOTHER WAY, THE 1973 RATE OF TIME LOST TO STRIKES WOULD EQUAL LESS THAN 30 MINUTES A YEAR FOR THE AVERAGE AMERICAN WORKER.

I WOULD GUESS THAT AT THIS SEASON OF THE YEAR, FAR MORE TIME IS LOST IN MAKING UP FOOTBALL POOLS.

BECAUSE OF YOUR DEEP INVOLVEMENT WITH THE COLLECTIVE BARGAINING PROCESS, I KNOW YOU'LL UNDERSTAND MY FEELING OF PRIDE IN THE PERFORMANCE OF BOTH LABOR AND MANAGEMENT NEGOTIATORS THIS YEAR.

BOTH SIDES HAVE SHOWN A DETERMINATION TO TRY NEW IDEAS. BOTH SIDES HAVE DISPLAYED A MATURE CAPACITY TO COMPROMISE. AND THE NATION HAS BEEN THE WINNER.

A FEW EXAMPLES INDICATE THE STRONG SENSE OF RESPONSIBILITY THAT HAS SURROUNDED NEGOTIATIONS, 1973 STYLE.

--THE NEW WAGE AND PENSION AGREEMENT FOR 600,000 RAILROAD WORKERS WAS NOT ONLY SETTLED AHEAD OF SCHEDULE, IT CAME WITHOUT THE TRADITIONAL CALL TO THE FEDERAL GOVERNMENT TO BE THE REFEREE AND JUDGE.

--THE OIL INDUSTRY AND THE OIL, CHEMICAL AND ATOMIC WORKERS OVERCAME A MAJOR HURDLE IN ESTABLISHING JOINT LABOR-MANAGEMENT HEALTH AND SAFETY COMMITTEES. WITH THE EXCEPTION OF A WORK STOPPAGE AT SHELL, THE MAJORS SETTLED THEIR CONTRACTS IN PEACE.

--AT GENERAL ELECTRIC, THE PROBLEMS THAT HAD DOMINATED BOTH SIDES OF THE TABLE FOR MORE THAN TWO DECADES WAS REPLACED BY A COMMITMENT TO RESPONSIBILITY AND RELATIVE TRANQUILITY. A PRIMARY BREAKTHROUGH CAME WITH MANAGEMENT'S ACCEPTANCE OF THE COORDINATED COLLECTIVE BARGAINING CONCEPT THAT THE UNIONS HAD BEEN TRYING TO ESTABLISH FOR A DECADE. UNDER THIS SYSTEM, THE 14 UNIONS REPRESENTING THE EMPLOYEES OF GENERAL ELECTRIC FORMED A COALITION TO COORDINATE THEIR NEGOTIATIONS.

--IN THE MEAT-PACKING INDUSTRY, NEGOTIATORS AVOIDED BEING TRAPPED IN THE UNBELIEVABLY COMPLEX MAZE OF MEAT SHORTAGES, PRICE INCREASES AND CONTROLS AND

REACHED AGREEMENTS AMONG THE TOP FOUR COMPANIES WITHOUT EVEN A THREAT OF A STRIKE.

--IN THE AUTO INDUSTRY, THE STICKY PROBLEM OF COMPULSORY VERSUS VOLUNTARY OVERTIME WAS RESOLVED WITH A MINIMUM OF INTERFERENCE IN KEEPING THIS KEY INDUSTRY PRODUCTIVE.

THESE ARE BUT A FEW EXAMPLES OF OUTSTANDING COLLECTIVE BARGAINING ACCOMPLISHMENTS WE HAVE WITNESSED THIS YEAR.

TAKEN TOGETHER, THEY PROVIDE US WITH A PICTURE OF PROGRESS--A PORTRAIT OF MATURITY AND REASON AND UNDERSTANDING.

THEY HAVE CREATED FERTILE GROUND FOR THE DEVELOPMENT OF NEW IDEAS.

AND LET ME SAY THAT IT COULD ONLY HAPPEN IN AMERICA.

THIS MAY SOUND TRITE TO SOME WHO TAKE GREAT JOY IN POINTING TO OUR SYSTEM'S WEAKNESSES. I HAPPEN TO BE AMONG THOSE WHO PREFER--AND ENJOY--LOOKING TO OUR STRENGTHS.

I KNOW OF NOWHERE ELSE IN THE WORLD WHERE LABOR AND MANAGEMENT STILL HAVE THE FREEDOM TO EXPERIMENT ON PROGRAMS THAT CAN BENEFIT THE WORKER, THE EMPLOYER, THE INVESTOR, THE COMMUNITY, AND THE NATION.

AS AMERICANS, WE CONTINUE TO BE THE RARE BREED ON THIS EARTH.

WE ARE THE PEOPLE WHO ARE STRUGGLING TO FIND THE PATH THAT WILL ENHANCE THE GENERAL WELFARE . . . WHILE PROTECTING THE INDIVIDUAL'S LIBERTIES.

I AM NOT HERE TO DEBATE GOVERNMENTAL PHILOSOPHIES. BUT I CAN RECITE FACTS.

--IN THE COMMUNIST WORLD, THE PRODUCT, THE WORKER AND MANAGEMENT ARE ALL PART AND PARCEL OF THE ULTIMATE EMPLOYER--THE STATE. LABOR AND MANAGEMENT MUST BOW TO THE GOD OF GOVERNMENT.

--IN THE FASCIST WORLD, THE MAN IN CONTROL AT THE MOMENT IS INFALLIBLE, AND GOD HELP THE EMPLOYER OR THE EMPLOYEE WHO STRAYS FROM THE PATH.

--IN THOSE FREE NATIONS WHERE PEOPLE HAVE GIVEN ALL POWER TO THE GOVERNMENT, THE COLLECTIVE BARGAINING PROCESS HAS BEEN LITERALLY SUFFOCATED. THE STATE TAKES CARE OF ALL FRINGES . . . AND THROUGH TAXATION HAS AN EFFECTIVE CONTROL ON WAGES.

IN SPITE OF OUR FAULTS--AND THEY ARE MANY--WE ARE TODAY WHAT WE SET OUT TO BE NEARLY 200 YEARS AGO: A NATION WHERE PEOPLE HAVE THE LIBERTY TO RETAIN JURISDICTION OVER THEIR OWN LIVES.

AND FROM THIS FOUNDATION, WE SEE TODAY THE DEVELOPMENT OF A NEW ERA IN LABOR-MANAGEMENT RELATIONS--AN ERA FILLED WITH FRESH IDEAS KEYED TO MAKING TOMORROW A BETTER WORLD FOR PEOPLE.

WE ARE SEEING A REJECTION OF PROPOSALS TO OUTLAW THE STRIKE IN OUR PRIVATE-SECTOR ECONOMY AS BEING INFRINGEMENTS UPON OUR CHERISHED PERSONAL LIBERTIES. INDEED, THE MOVEMENT TOWARD PERMITTING STRIKES IN THE PUBLIC SECTOR HAS A GREATER BILLING:

AT THE SAME TIME, WE ARE WITNESSING A MASSIVE ACCEPTANCE OF PROPOSALS AIMED AT AVOIDING STRIKES.

THE MOST PUBLICIZED OF THESE, OF COURSE, IS THE AGREEMENT BETWEEN THE UNITED STEELWORKERS AND THE TOP TEN STEEL MANUFACTURERS TO SUBMIT TO BINDING ARBITRATION ANY ISSUE THAT IS UNRESOLVED AFTER THE FREE COLLECTIVE BARGAINING PROCESS HAS RUN ITS COURSE.

IT SHOULD BE NOTED THAT THE STEEL INDUSTRY AND THE UNION THAT REPRESENTS ITS WORKERS HAVE NOT BEEN WARRING PARTIES. IT HAS BEEN 14 YEARS SINCE THERE HAS BEEN A STRIKE IN THE BASIC STEEL INDUSTRY.

BUT A PRESSURE THAT IS EQUAL TO THE PRESSURE OF A WORK STOPPAGE IS INVOLVED IN THEIR UNIQUE UNDERSTANDING.

THAT PRESSURE IS FOREIGN COMPE- TITION--COMPETITION SO TOUGH THAT EVEN THE THREAT OF A STRIKE HAS CAUSED SEVERE ECO- NOMIC DAMAGE IN RECENT YEARS TO BOTH MANAGEMENT AND THE WORKERS. COMPETITION SO STRONG THAT THE UNITED STATES, ONCE THE UNDISPUTED KING OF STEEL, NOW RANKS BE- HIND THE SOVIET UNION AND JAPAN IN STEEL PRODUCTION.

THE LAST STRIKE IN THE STEEL INDUSTRY OCCURRED IN 1959--JUST AS FOREIGN STEEL PRODUCERS WERE BEGINNING TO MAKE INROADS INTO THE AMERICAN MARKET. THAT STRIKE LASTED 116 GRUELING DAYS. AND IT OPENED THE FLOODGATES TO A TIDAL WAVE OF FOREIGN STEEL THAT HAS GROWN SINCE.

BY 1971, STEEL IMPORTS AMOUNTED TO 18.3 MILLION TONS--A RECORD HIGH.

I. W. ABEL, PRESIDENT OF THE UNITED STEELWORKERS, HAS SAID THAT EACH MILLION TONS OF IMPORTED STEEL REPRESENTS 6,000 AMERICAN JOBS EXPORTED TO OTHER STEEL-PRODUCING LANDS. AT THE 1971 RATE OF IMPORTS, HE ESTIMATED THAT 108,000 FULL-TIME JOB OPPORTUNITIES HAD BEEN LOST TO FOREIGN PRODUCERS.

BUT THAT WAS ONLY ONE OF THE PROBLEMS IN THIS MASSIVE INDUSTRY.

FOLLOWING THE 1959 STRIKE, THE INDUSTRY WAS DETERMINED NOT TO BE CAUGHT SHORT AGAIN. CONSEQUENTLY, LONG BEFORE EACH CONTRACT EXPIRED, THE INDUSTRY BUILT HUGE STOCKPILES.

THIS WAS COSTLY. TO THE INDUSTRY, THE COST CAME IN OVERTIME, AND IT CAME LATER IN MAINTAINING UNUSED FACILITIES-- PLANTS AND MACHINERY THAT WERE FORCED INTO IDLENESS AS SUPPLIERS USED UP THE STOCKPILED STEEL.

IRON OUT THEIR DIFFERENCES BETWEEN THEMSELVES.

WE FEEL, ALSO, THAT THE PROSPECT OF UNCERTAIN RESULTS FROM ARBITRATION WILL BECOME A COMPELLING INCENTIVE TO ACHIEVE A FULL AGREEMENT BEFORE THE ARBITRATION PROCESS MUST BE INVOKED.

ARBITRATION IS WIDELY UTILIZED BY BOTH LABOR AND MANAGEMENT IN THE SETTLEMENT OF GRIEVANCES THAT OCCUR DURING THE TERMS OF CONTRACTS.

OTHER LEADERS OF LABOR AND MANAGEMENT ARE SERIOUSLY CONSIDERING INTEREST ARBITRATION AS A METHOD OF BRINGING SETTLEMENTS WITHOUT STRIFE. AMONG THEM IS THE MARITIME INDUSTRY.

OUR MARITIME INDUSTRY IS ON THE VERGE OF A COLLECTIVE BARGAINING STABILITY IT HAS NEVER KNOWN BEFORE. HERE, TOO, FOREIGN COMPETITION HAS PLAYED A MAJOR ROLE IN THE EMERGING LABOR-MANAGEMENT COOPERATION.

THE TENOR OF THE NEW ERA OF BROTHERHOOD AMONG THE SEAFARING UNIONS IS SUMMED UP IN THESE WORDS ISSUED BY THE PRESIDENT OF THE SEAFARERS INTERNATIONAL UNION, PAUL HALL:

"WE IN THE MARITIME UNIONS," HE SAID, "KNOW WE HAVE THE GUTS AND MUSCLE TO FIGHT IF WE HAVE TO. BUT MARITIME STRIKES HAVE OUTLIVED THEIR PURPOSES. ONE MARITIME STRIKE IS TOO MANY, FOR WHATEVER THE STATED REASON.

"IF THE MARITIME INDUSTRY IS TO BE REJUVENATED," HE ADDED, "THERE MUST BE NO STRIKES, NO WORK STOPPAGES, NO INTERFERENCE WITH THE FLOW OF SHIPS AND THEIR CARGO."

IT IS CLEAR THAT BINDING ARBITRATION IS PLAYING A STRONG ROLE IN THE CAMPAIGN TO AVOID STRIKES.

BUT WE MUST ACKNOWLEDGE A KEY FACT: BINDING ARBITRATION IS BEING ACCEPTED ON A VOLUNTARY BASIS. COMPULSORY ARBITRATION, IMPOSED THROUGH LEGISLATION, IS STILL ANATHEMA TO BOTH LABOR AND MANAGEMENT.

THERE ARE SEVERAL OTHER UNIQUE IDEAS COMING FROM A VARIETY OF SOURCES WHOSE ONLY COMMON GROUND IS THE DESIRE TO AVOID LABOR-MANAGEMENT STRIFE.

IN SAN FRANCISCO, FOR EXAMPLE, CONTESTED ISSUES INVOLVING PUBLIC EMPLOYEE LABOR-MANAGEMENT RELATIONS CAN NOW BE PLACED ON THE BALLOT.

EARLIER THIS YEAR, A REFERENDUM VOTE WAS CONDUCTED ON WHETHER THAT CITY'S MUNICIPAL WORKERS SHOULD RECEIVE 40 HOURS' PAY FOR 30 HOURS' WORK. THAT PROPOSAL LOST BY A MARGIN OF MORE THAN SIX-TO-ONE.

WE HAVE ALSO SEEN EXPERIMENTS IN THE NON-WORK-STOPPAGE STRIKE. UNDER THIS PLAN, EMPLOYEES STAY ON THE JOB IN THE FACE OF AN IMPASSE.

A SHARE OF THE WORKERS' WAGES AND A PORTION OF THE COMPANY'S PROFITS ARE SET ASIDE FOR A MUTUALLY AGREED-UPON COMMUNITY-SERVICE CAUSE. THE AMOUNT INCREASES WITH TIME.

THIS THEORY WAS TESTED FOR A FEW DAYS DURING A TRANSIT STRIKE IN MIAMI.

BUT PASSENGERS WHO WERE IN SYMPATHY WITH THE BUS DRIVERS INADVERTENTLY TORPEDOED THE PLAN. THEY BEGAN TIPPING THE BUS DRIVERS GENEROUSLY--WHICH MUST HAVE BEEN AN AMAZING DEVELOPMENT FOR THE DRIVERS. MANAGEMENT REACTED BY CALLING THE WHOLE THING OFF.

THE IMPASSE WAS SETTLED AFTER A STRIKE.

GEORGE MEANY HAS BEEN DISCUSSING A STRIKE ALTERNATIVE THAT IS CLOSER TO THE RANGE OF ACTIVITY THAT WE ARE ADJUSTED TO.

HE HAS SUGGESTED AN "ADD-ON" PROVISION THAT WOULD EXTEND CONTRACTS IN THE EVENT OF AN IMPASSE.

IF MANAGEMENT AND LABOR CAN'T AGREE TO THE TERMS OF A NEW CONTRACT, A MUTUALLY AGREED-UPON THIRD-PARTY NEUTRAL WOULD PRESENT AN INTERIM AGREEMENT WHICH BOTH SIDES WOULD LIVE BY FOR A SPECIFIC PERIOD OF TIME. NEGOTIATIONS WOULD CONTINUE UNDER THE INTERIM AGREEMENT UNTIL A SETTLEMENT IS REACHED OR THE EXTENSION EXPIRES.

IT IS MY FEELING THAT THE MEDIATION PROCESS, TOO, CAN BE MORE FULLY UTILIZED IN THE SEARCH FOR METHODS TO AVOID STRIKES.

I AM CONVINCED THAT IN THE FIELD OF MEDIATION, THERE IS AN ENORMOUS OPPORTUNITY TO DEVELOP NEW TECHNIQUES THAT CAN LEAD TO GREATER PEACE IN COLLECTIVE BARGAINING.

MEDIATION IS A DESIRABLE ALTERNATIVE. MEDIATORS HAVE NO ABSOLUTE POWERS. WE MUST DEPEND ON PERSUASION.

SOME CONSIDER THIS A WEAKNESS. BUT IN THE INTIMATE WORLD OF COLLECTIVE BARGAINING, IT IS A STRENGTH AS WELL.

THE FACT THAT WE CANNOT COMPEL . . .
THAT WE MUST HONOR CONFIDENCES . . . THAT
WE OFFER NO THREAT TO THE NEGOTIATING PAR-
TIES. . . ALL OF THESE ARE ASSETS IN THE
BATTLE FOR REASON OVER FORCE.

I FEEL THAT WE AT THE FEDERAL ME-
DIATION AND CONCILIATION SERVICE HAVE A
COMMITMENT TO INCREASE OUR ACTIVITY, AND
TO FIND NEW METHODS OF HARVESTING THE
BENEFITS OF MEDIATION.

WE HAVE IN OUR ORGANIZATION A
GREAT RESERVE FORCE OF EXPERIENCE, KNOWL-
EDGE AND SKILLS IN THE LABOR RELATIONS
AREA.

WE INTEND TO SEE TO IT THAT THIS
FORCE FOR INDUSTRIAL PEACE IS USED TO
CAPACITY.

WE WILL BE CALLING UPON MORE UNIONS AND MANAGERMENTS TO USE MEDIATORS--TO MAKE IT A STANDARD POLICY AS IT NOW IS OF SEVERAL UNIONS TO "CALL THE MEDIATOR" BEFORE THE INTERNATIONAL UNION WILL SANCTION A STRIKE.

WE WILL BE SUGGESTING TO LABOR AND MANAGEMENT THAT THEY INCLUDE IN THEIR CONTRACTS AN AGREEMENT TO USE MEDIATION AT LEAST 10 DAYS BEFORE ANY STRIKE OR LOCKOUT CAN TAKE EFFECT.

MEDIATION SHOULD BE GIVEN A CHANCE, BEFORE THE SIDES HAVE BECOME POLARIZED, BEFORE THE BITTERNESS HAS BECOME SO EXTREME THAT ONLY A STRIKE WILL RELIEVE THE PRESSURE.

THE LAW UNDER WHICH THE FEDERAL MEDIATION SERVICE OPERATES STATES THAT THE SERVICE MAY OFFER ITS SERVICES IN ANY LABOR DISPUTE AFFECTING COMMERCE, EITHER ON THE MOTION OF THE SERVICE, OR AT THE REQUEST OF EITHER ONE OR BOTH PARTIES.

THAT SAME LAW, TAFT-HARTLEY, MAKES IT OUR "DUTY" TO PREVENT OR MINIMIZE INTERRUPTIONS GROWING OUT OF LABOR DISPUTES THROUGH CONCILIATION AND MEDIATION. THE LAW ALSO STIPULATES THAT THE PARTIES "SHALL"--AND I REPEAT THE WORD "SHALL"--ATTEND MEETINGS AND OTHERWISE COOPERATE WITH FMCS SETTLEMENT EFFORTS.

WE ARE NOW EXERCISING OUR OPTION
ON OUR STATUTORY DUTY TO BECOME INVOLVED.

AT THE SAME TIME, WE ARE LOOKING
FOR BETTER WAYS TO USE MEDIATION.

WE ARE EXPLORING THE WISDOM OF
MEDIATORS BECOMING ADVISORY FACTFINDERS.

WE ARE EXPERIMENTING WITH TEAM
MEDIATION--PULLING TOGETHER COMMISSIONERS
WITH EXPERTISE IN SPECIFIC AREAS TO POOL
THEIR RESOURCES AND FIND ANSWERS.

WE ARE REDIRECTING OUR TECHNICAL
SERVICES EFFORTS TO WORK OUT IMPROVED
BARGAINING PROCEDURES WITH THE PARTIES.

IN FACT, WE ARE REVIEWING THE ENTIRE RANGE OF FMCS ACTIVITIES WITH THE AIM OF MAKING OUR LABOR PEACEMAKING ASSIGNMENT WORK EVEN BETTER.

WE ARE DOING THESE THINGS BECAUSE IT IS OUR DUTY--TO OURSELVES, TO OUR NATION AND TO THE IDEALS OF FREE COLLECTIVE BARGAINING, WHICH HAS CONTRIBUTED SO MUCH TO AMERICA'S GREATNESS.

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