
THE CASE BILL.

Strikes and labor unrest spurred the President and Congress to ultimate action. In the latter part of 1945, the President suggested the creation of fact-finding boards under which the fact-finders would have authority to subpoena the records and books of management where a labor dispute was involved and also impose a cooling period on labor before a lawful strike could be instituted. That bill was finally reported by the House Labor Committee with both the subpoena provision and the cooling-off provision stricken from the bill. That bill had to go to the Rules (steering) Committee for a rule to give it the legislative right-of-way. That Committee in reporting a rule under which to consider the bill made it in order to consider the Case Bill as a substitute. Thus it came before the House of Representatives for debate and final action. At least three substitute bills were offered for the Case Bill. All were defeated. A number of amendments were adopted, however, and then the Case Bill in amended form was substituted for the original fact-finding bill and approved by a vote of 258 to 155 on February 7th.

WHAT THE CASE BILL DOES

In general, here is what the Case Bill does. (1) It recites a national policy that collective bargaining between management and labor is a mutual obligation on the part of each. (2) It sets up a Mediation Board consisting of labor, management and public members to mediate strikes involving the public interest where more than 250 employees are involved. (3) It imposes a duty on employers not to engage in a lock-out or for employees not to strike for a five-day period after notice to the Board. And if the Board takes jurisdiction, no lock-out or strike shall take place for another 30 days. This is the cooling period. (3) If and when employers and employees make a collective bargaining contract, that contract is enforceable in Federal Court by an action for damages. (4) The Board can issue an order to cease and desist from a lock-out or strike and that order is enforceable by action of the Attorney General in a Federal Court. (5) The protection of the Wagner Act which provides certain bargaining rights is taken away from any person or organization which resorts to force and violence in preventing persons from entering or leaving plants where they work and permits the issuance of an injunction against picketing which is done by force, threat and violence. (6) Where persons use force and violence or destroy property, their reinstatement as employees is prevented. (7) It takes away the benefits of the Wagner Act in the case of boycotts. (8) It excludes supervisory personnel who are actually a part of management from the benefits of the Wagner Act as it relates to bargaining rights.

WHAT THE CASE BILL DOES NOT DO.

(1) It does not take away or destroy the right to strike. It does require a five-day notice before a strike and if the Board takes jurisdiction, it puts on an additional 30-day cooling period before striking. (2) It does NOT stop picketing. It makes picketing unlawful if force and threat and violence are used. (3) It does NOT stop union activities. It's aimed at those activities where force, violence, destruction and disregard for the terms of an existing contract are involved and also boycotts. (4) It does NOT provide for government by injunction except that where the Board has taken jurisdiction, it may ask the Attorney General to petition a Federal Court to restrain a strike or lock-out for a period not longer than 30 days and secondly in cases where force and violence are resorted to and third, in the case of a secondary boycott where perishable commodities are involved. (5) It does NOT require compulsory arbitration. It leaves collective bargaining on a wholly voluntary basis. There is brief is what the Case Bill as amended does and does not do.