

Note to Editors The Congressional Front this week appears unusually long but this is due to the fact that we have sought to set out in some detail the contents of the anti-strike bills now before Congress so that readers may know exactly what is involved.

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THE CONGRESSIONAL FRONT.
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STRIKE LEGISLATION

The situation which was provoked by the action of John L. Lewis developed a new demand for anti-strike legislation in war time and that demand crystallized almost immediately in the form of a bill introduced in the U S Senate, known as S. 796 which passed the Senate on May 5, by a vote of 65 to 16 It is commonly known as the Connally Bill (Senator Connally of Texas) and was immediately sent to the House Committee on Military Affairs for consideration and action Perhaps a summarization of the Connally Bill will be useful and informative.

THE CONNALLY BILL.

It is really an amendment to Section 9 of the Selective Service Act of 1940 which originally gave the President power to take over and operate a war plant where the war effort was being impeded or obstructed This bill enlarges and expands the power of the President to take over plants and facilities and to operate them through any designated government agency on the same terms and under the same conditions as were in effect before a work stoppage took place This in effect freezes wages and conditions However, the bill also empowers the Federal agency which operates a plant or mine to apply to the War Labor Board for a change in wages and conditions or permits the employees to make such an application to the War Labor Board The bill also makes it unlawful to aid, instigate or bring about a strike or lock-out while a plant, mine or facility is being operated by the government, and provides a fine of \$5000, or imprisonment for a year, or both, where a person is convicted of so doing One provision of course deserves emphasis For an employee to quit work or to refuse to continue to work or to accept employment is not considered a violation of the act In addition, the bill expands the powers of the War Labor Board to take jurisdiction of labor disputes, to make decisions with respect to wages and other matters in controversy The decision of the War Labor Board would then be subject to review by the Courts The vital part of this bill therefore is Section 4(a) which makes it unlawful to coerce, instigate or induce any person to interfere by strike or lock-out or slow-down or to aid a strike, lock-out or slow-down which interferes with the operation of any plant, mine, or facility in the possession of the government

ACTION BY THE HOUSE COMMITTEE

The Connally Bill was then considered by the House Military Affairs Committee which on May 12, reported an altogether different measure The Committee struck out all of the provisions of the Connally Bill and substituted a new measure which in effect is a modification of the so-called Smith Bill which was passed by the House on December 6, 1941 That measure will probably come to the House for action sometime after the 18th of May

ANALYSIS OF THE HOUSE BILL

Section 1, defines a war contract, war contractor, employer, employee, labor organization, labor dispute and other terms Section 2 makes it unlawful for a contractor to stage a lock-out or for employees to strike until 30 days after notice has been given to the Secretary of Labor of an intention to strike or effect a lock out (Note that this section does not outlaw the right to strike after 30 days notice) Section 3 makes it unlawful to strike until after a strike ballot has been taken under the supervision of the U S Conciliation Service and the result of the ballot has been certified by the Secretary of Labor and made available for public inspection (Note here that a strike is not made unlawful if a supervised strike ballot has been taken) Section 4 makes it unlawful to use force and violence in preventing a person from working or accepting work with a war contractor It also makes it unlawful to beset any person's house for the purpose of inducing any person to work or to abstain from work for a war contractor It also makes it unlawful for one or more persons to meet at or near the plant of a war contractor where a labor dispute is in progress for the

purpose of inducing any person to work or to abstain from work unless the persons doing so were bona fide employees immediately before the labor dispute began. It also makes it unlawful for the employer to hire anyone to use force or threats in interfering with peaceful picketing during a labor dispute relating to wages, hours or working conditions or to rights of collective bargaining. Section 5 makes "sympathy" strikes or "jurisdictional" strikes or boycotts unlawful where the purpose is to compel a war contractor to comply with the demands of a labor organization or to compel such a war contractor to recognize one labor organization as against another. Section 6, gives Federal District Courts the power to enforce this act by injunction against violations or threatened violations. It also makes a person liable for damages by civil action to any person who may have been injured as a result of a violation of the act and deprives a person violating the act of his status as a labor representative under the National Labor Relations Act. Section 7, requires the annual registration of any labor organization whose membership consists of employees of a war contractor. Such registration statement must set forth the name of the organization, officers, companies with which it deals, initiation fees, dues, assessments, limitations on membership, number of paid-up members, date of last election of officers, election methods, the vote for and against each candidate for office, date of last detailed financial statement furnished to its members, the method of publication or circulation of such financial statement, copies of the constitution and by-laws, and copies of all financial statements. Sections 8 and 9 expand the power of the War Labor Board to deal with labor disputes and is similar to the Senate Bill. Section 10, gives the Chairman of the War Labor Board the power to issue an order preventing any person from calling a strike or staging a lock-out after a labor dispute has been certified to the War Labor Board and such order cannot remain in effect longer than 60 days after its issuance or no longer than 5 days after the Board makes a decision, whichever is the sooner. The Attorney General is given power to enforce the orders of the Board. (Note that here again, for an employee to quit work or refuse to continue to work or to accept work is not regarded as an illegal act.) Section 11 gives the War Labor Board power to make necessary rules and regulations. Section 12 authorizes any government agency which is operating a plant in possession of the government or the employees thereof to petition for changes in hours, wages and conditions and the Board may order such changes. Section 13 makes it unlawful to instigate or aid a strike or lock-out or interrupt the operation of a plant mine or property which is in possession of the government but for a person to quit work or refuse to continue work or to accept work is not regarded as a violation of this provision.

SUMMARIZATION

Real controversy centers around Section 13 which makes it illegal to instigate or aid a strike or lock-out in a plant which is in possession of the government and provides a fine of \$5000 or imprisonment for one year or both for any violation of this section.

INVESTIGATORS.

For the first time in the history of the Congress, the committee had a staff of investigators to explore FSA activities and make a report. Among other things reported by the investigators was that the Farm Security Administration was (1) over-organized (2) spending too much on home management services (4) carried too many engineers (5) branched out contrary to the intent of Congress (6) that regional administration was overdone (7) duplicating work of the Farm Credit Administration and the Agricultural Adjustment Administration (8) spending too much on publicity (9) and other items where efficiency and economy could be effectuated.

COMPARISON.

In the first 6½ years of its existence, the Farm Security Administration disbursed \$576,000,000 in loans and grants and expended \$275,800,000 for salaries, travel and other expenses. In round figures this means that about \$1. was expended in salaries, travel, and expenses for every \$2 that was loaned or granted. This picture was sufficiently persuasive to cause the committee to recommend that the activities of the Farm Security Administration in reduced form be preserved but that they be transferred to an agency which already existed to handle farm credit functions.

WARNING.

A year ago, the committee formally criticized the FSA for making excessive loans to individual borrowers, for carrying on an unauthorized land purchase program, for carelessness and inefficiency on the part of certain employees and for experiments in collectivist farming which resembled the collectivist practice in Russia. Thus the action taken by the appropriation committee in dealing with the Farm Security Administration was not sumptuary or capricious but rather was based on an abundant amount of information and testimony.