

## JURISDICTION EXPANDED

**C**ONGRESS AMENDED the Act in 1970 to place the U.S. Postal Service under the NLRB's jurisdiction. The Postal Reorganization Act substituted an arbitration procedure for the right to strike guaranteed in Taft-Hartley.

Congress widened the NLRB's responsibilities again in 1974, giving the agency jurisdictional authority over nonprofit hospitals and nursing homes. Previously, the law had excluded such health care facilities and their employees. On its own discretion, the NLRB further expanded its jurisdiction to include major league baseball (1969), private, nonprofit colleges and universities (1970), foreign government-owned corporations doing business in the U.S. (1977), law firms (1977), and professional soccer (1978).



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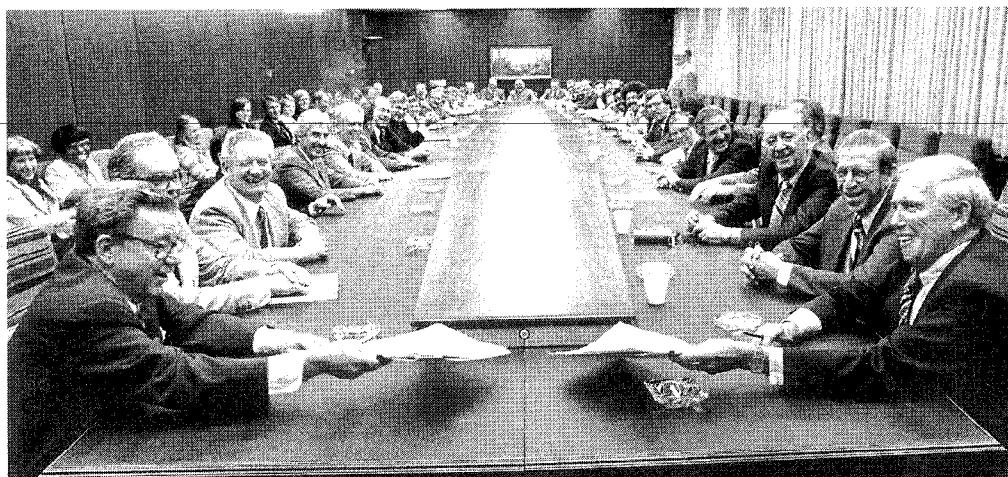


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1. Hospital Workers Local 1199 signed "V" for victory in 1969 election, New York City.

2. Regional office manager's conference, Washington, D.C., March 1974.

3. Top negotiators Doug Fraser of the UAW and George Morris of General Motors prepare to sign 1979 national agreement. Others in the foreground include Irving Bluestone and Frank James for the union and Pat Crane and Vic Zink for the company.



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## 40TH ANNIVERSARY

**I**N 1975, also with an eye to modernizing and streamlining its rules and procedures, the Board appointed a task force to conduct a two-year study. The blue ribbon panel of 27 academicians and lawyers, representing management, labor and the public (along with agency officials who did not have a vote in the task force's deliberations) issued two reports containing 81 recommendations, most of which eventually were adopted and have helped reduce undue delays in the Board's case-handling machinery.

A 40th anniversary banquet in October 1975 was addressed by three leaders representing labor, management and government—AFL-CIO President George Meany, National Association of Manufacturers President-Elect R. Heath Larry, and Secretary of Labor John T. Dunlop.

Organized labor led an unsuccessful effort to amend the Act in 1978. The “labor law reform” bill occasioned seven Senate cloture votes, more than any other bill had received in U.S. history.



*“The statute has worked—and worked well. It has produced a maturity of labor relations and brought about an evolution from labor-management conflict to cooperation that has been vital to our tremendous economic and social progress. It has helped millions of American workers share more fully in the fruits of their own labor with better pay, greater job security, pensions and many other benefits.”*

FROM THE LETTER OF PRESIDENT GERALD R. FORD TO BOARD, OCTOBER 15, 1975.



AFL-CIO President Meany testifies at House hearing on labor law reform, Sept. 1977, accompanied by Secy. Treas. Lane Kirkland.

## RECORD INTAKE, BACK PAY

**T**HE HIGH-WATER mark in the NLRB's case intake was fiscal 1980, when it received a record 44,057 unfair labor practice charges and 13,040 election petitions. In the preceding decade, the caseload had risen 71 percent, while agency employment increased just 34 percent.

The intake level tapered off by fiscal 1984 to 34,855 unfair labor practice charges and 7,770 election petitions—the lowest level since fiscal 1974.

Rising steadily during the 1970s was the amount of money collected by the NLRB for American workers who lost earnings as a result of unfair labor practices by employers and unions. A record level was reached in 1980, when back pay totaled an estimated \$37 million.

# NLRB hands out back-paychecks

## Monfort payments average \$38,000

By **CINDY BROVSKY**  
Tribune Staff Writer

One Monfort worker said he was retiring Friday after picking up a \$39,000 back-pay settlement with the company. Another former employee drove from Iowa for his check.

Other workers breathed sighs of relief that the money — from a \$10.6 million unfair labor practice settlement — will help pay off their bills.

check was for \$200,000.

But some former workers felt Scrooge also paid a visit as they discovered smaller checks than expected, or received nothing at all. Checks that weren't picked up Friday will be mailed.

The 12-year-old case initiated by Local 7 of the United Food and Commercial Workers seemed like a never-ending battle. The issue began in 1980 when the Greeley plant was closed for two years over a labor dispute. The



1. Greeley Tribune, September 1994.

2. Kellwood worker is happy about her back pay check, Little Rock, Ark., 1976.

### TEN LARGEST BACK PAY SETTLEMENTS

Organization/Union	Year Claim Paid	Back pay and other Claims
National Football League NFLPA	1994	\$30,000,000
U.S. Marine AIW	1994	\$16,000,000
Greyhound ATU	1993	\$15,000,000
Colt Industries UAW	1990	\$13,000,000
American Cyanamid OCAW	1979	\$12,000,000
Montfort, Inc. UFCW	1994	\$10,600,000
Decker Coal UMWA	1991	\$10,000,000
Central Cartage IBT	1993	\$ 5,500,000
Lehigh Portland Cement Boilermakers	1990	\$ 5,000,000
Milliken, Inc. Textile Workers	1956	\$ 5,000,000

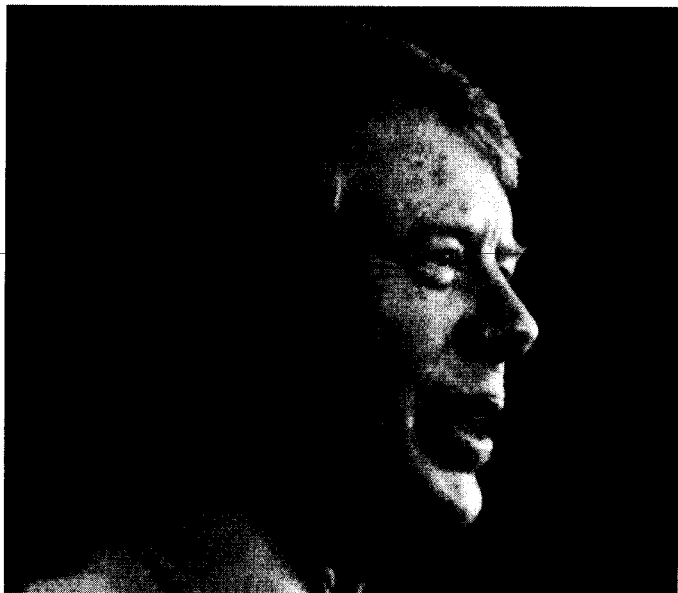
## LANDMARK CASES

**A**FTER ALMOST a quarter century of litigation, the Board in December 1980 settled one of the most protracted and complex labor disputes in American history by negotiating a \$5 million back pay agreement with Milliken & Co., formerly Darlington Mills.

The Board found the company had unlawfully closed a textile mill in Darlington, S.C., in 1956, following an election victory by the Textile Workers. The 1962 decision twice reached the Supreme Court and produced a landmark ruling that a corporation cannot legally shut down one of its plants to discourage unionism at its other plants.

Rivalling the Darlington Mills case in longevity and complexity was the 20-year legal battle between J.P. Stevens & Co. and the Amalgamated Clothing and Textile Workers Union. The NLRB brought the matter to a close in 1983, with a settlement agreement resolving all outstanding unfair labor practice cases among the parties. The dispute had been over unionization of the company's textile plants.

Over its 50 years, back pay collected by the NLRB for workers has totaled almost \$350 million.



*"As employees, employers, and labor organizations throughout the country celebrate thirty million votes cast by workers in NLRB elections, they give recognition to a proud landmark in the history of our democratic society. I wholeheartedly join in these sentiments."*

FROM THE LETTER OF PRESIDENT  
JIMMY CARTER TO BOARD,  
FEBRUARY 14, 1977.

1. Darlington Mills plant, Darlington, S.C., shut down in 1956.

2. American Cyanamid worker R.A. Bonura (second from left) receives nearly \$150,000 in back pay and interest under 1980 settlement.

## CONDUCTING ELECTIONS

**S**INCE 1935, the NLRB has conducted some 345,000 elections involving more than 32 million employees. In its first year of operation, it held just 31 elections, compared to approximately 5,200 in fiscal 1984.

In setting up and running elections, the Board had gone to great lengths to make voting simple and convenient in the 50 states, Puerto Rico, Guam, and other territories.

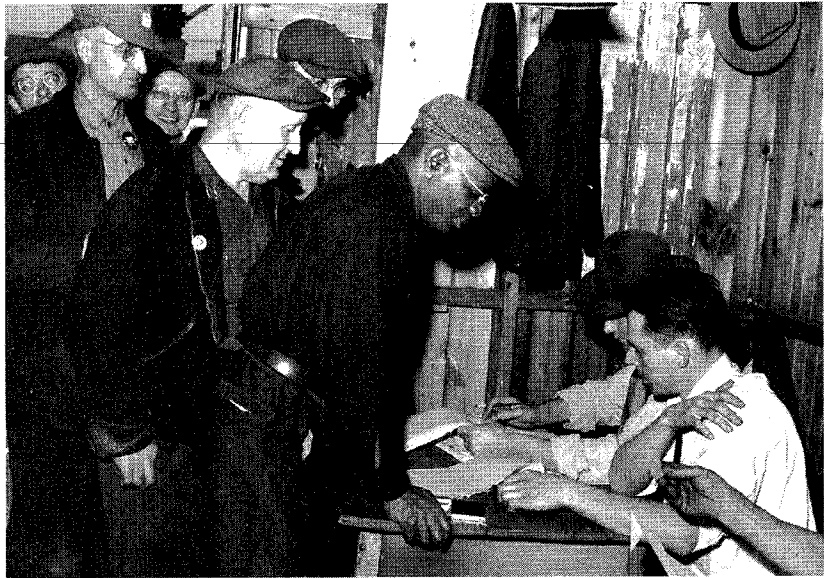
The polling place is brought to the worker—voting booths and boxes have been set up in factories, warehouses and mills, as well as aboard ship, in railroad boxcars, stadiums, movie studios and even a rented circus tent.

The NLRB has conducted elections ranging in size from two-employee units, including one for two grave diggers, to the largest ever held—a War Labor Dispute Act strike vote conducted in December 1945, in which 686,000 steel workers were eligible to vote.

Time taken to conduct balloting has ranged from 15 minutes for many elections to 112 days for one held in 1965 in the maritime industry. In that case, it was necessary to conduct votes on 20 ships three times, due to crew changes in various ports. Seamen voted in the usual ballot box fashion and also by mail as ships docked in the U.S., Japan and the West Indies.

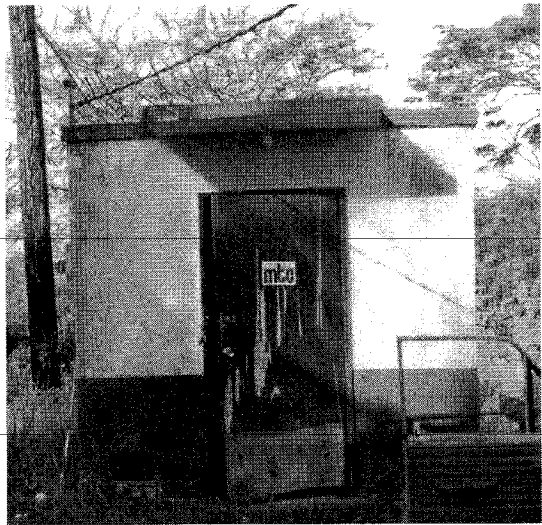
The election that presented the most complex problems of planning and deployment of resources was the War Labor Disputes Act election of 1945 in the bituminous coal industry. On short notice, the agency was able to put 2,200 board agents into 31 states to provide voting facilities to 311,453 eligible workers at more than 2,000 mines. This balloting was accomplished in 22 hours to meet a strike deadline.

The largest single plant election was held in 1941 at the Ford Motor Company's River Rouge plant in Dearborn, Michigan. Sixty polling places were provided for 78,000 eligible employees. Voting was completed in one day.



1. Ford workers vote in NLRB election at River Rouge plant, Dearborn, Mich., April 1942.

2. The most remote NLRB election took place in 1984, at Micronesian Telecommunications Co., Island of Tinian, Northern Marianas—some 9,000 miles away from Washington, D.C.



3. NLRB Field Examiner Tom Watson (right) supervises union-shop election at Delco Remy plant of General Motors in Anderson, Ind., February 1950. Voting took place in rented tents set up in a cornfield.

