

"It's an ill wind that blows no man good." Thus, the words of the old proverb from medieval times. And, I would say offhand that the old proverb applies to President Nixon's proposals contained in a Joint Resolution to Congress, which upon passage asks Congress to:

1. Provide for a procedure for settlement of the strike on the Pacific Coast and Hawaii and a dispute between shippers and workers;
2. Establish an arbitration board to hear and settle all issues in dispute and to make a final and binding agreement which shall be not less than 18 months or more than 24 months; and
3. To provide in some way for no strike or lockout action by the parties during the period of such agreement.

Although the order goes on in detail to provide for the setting up of the board, how it shall operate, how it shall be paid, establishes a special referee, etc., it further provides punishment that "any strike, lockout or concerted activity in violation of this resolution shall carry a penalty not to exceed \$100,000."

In studying the resolution, I am not able to figure out how the President and Congress expects the union to get our rank and file, now on strike, back on the job.

We can understand about Congress getting a request from the President to take action to set up a special arbitration board; we know that the Congress will hold hearings of some sort at which we might be ordered to appear, or wish to appear, to be heard; and we know that all these things take time.

The key issue that we as a union must figure out is, what happens in the interim? And, specifically, how are we going to return to work? Who is going to force us, and by what methods?

I want to say right here and now as far as I am concerned, and such will be my recommendation to the striking ranks, that the workers came out on strike with a vote—an industrywide, secret referendum ballot—and they will return the same way.

In saying this, I mean no disrespect or defiance of President Nixon or his high office. I simply mean to say that in this instance he is trying—by methods that won't work—to force an end to our strike.

I made the same statement last August when President Nixon announced his Wage/Price policies, and at that time in a press conference I said how the union would return to work. This was prior to the use of the Taft-Hartley Law and the 80-day injunction. That law has been used; the 80-day injunction was ordered into effect by court action. The union recommended to the ranks that they return to work and obey the law in this respect, and under those circumstances the recommendation was complied with. The Taft-Hartley law is a law already on the books, however. It is a fact. Its provisions have been upheld by federal courts up to the Supreme Court. But now we face a new situation.

There is no law or constitutional provision saying we must call off our strike. There is no law or constitutional provision requiring compulsory arbitration; no law or constitutional provision saying that we can't take a referendum vote to return to work, or to stay on strike, or that we must take such a vote.

And, there is no law, at least not right now on the books, which lays down the conditions under which we must return to work regardless of the wishes of the striking rank and file who have been on strike now over 100 days.

When I quoted the proverb at the beginning of this column, what I had in mind was that whatever the bad parts of the order amount to, President Nixon's action has done one thing:

**It has united all sections of labor in opposition to this cockeyed proposal of the President.**

As of the time this is written, our union has been in contact with the offices of Frank Fitzsimmons, General President of the International Brotherhood of Teamsters; the national office of the AFL-CIO, through John Henning, secretary-treasurer of the California State AFL-CIO; Presi-

dent Tony Boyle of the United Mine Workers of America; and International Secretary-Treasurer James Matles of the United Electrical, Radio and Machine Workers, whose help was invaluable in getting certain forces into action in the State of New Jersey and making direct contact with the International leadership of the United Auto Workers for us.

Therefore, as I say, President Nixon has done something—although we know that was not part of his purpose—that brings all labor together with one point of view:

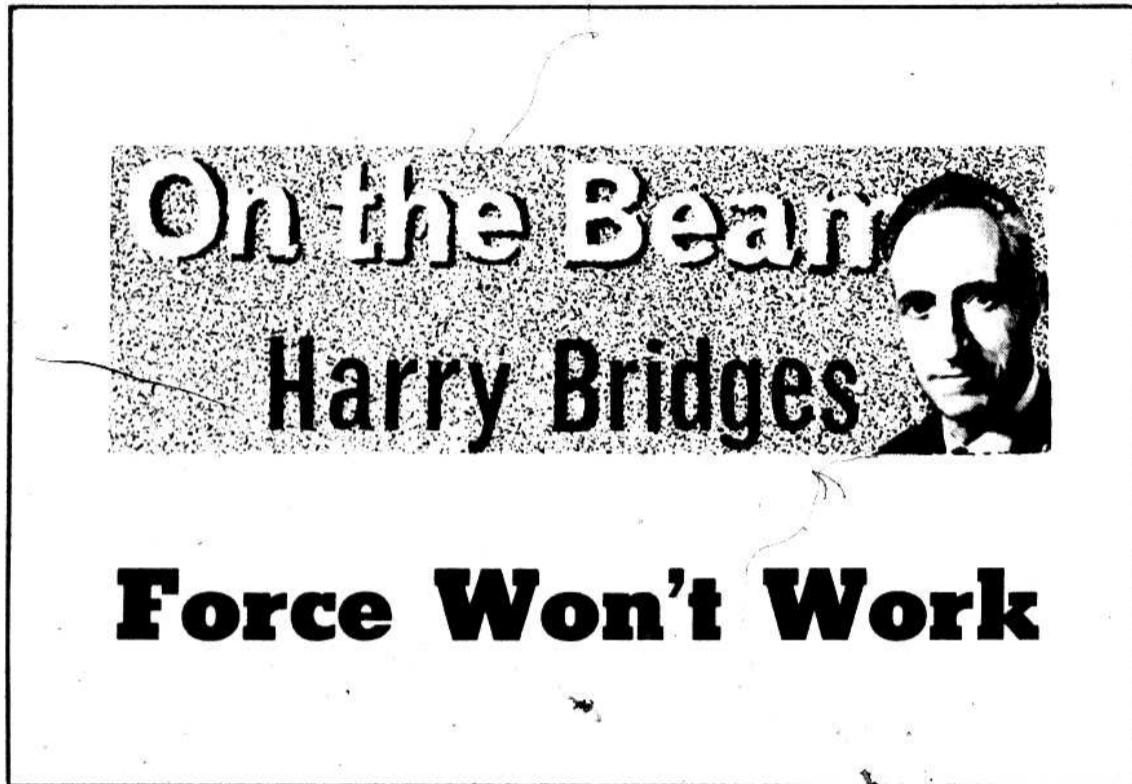
**United opposition to this scheme to force a group of workers back to work, to undermine their negotiating power, and an attempt to compel them to accept a settlement of their demands through compulsory arbitration.**

Without being quite sure how things might work out, I can tell you membership right now as I write this column, I really don't think the President's program in this particular instance is going to work. I don't think his order, by the time it will take Congress to act, plus a few other things plus overcoming the legal challenge we plan to make in the federal courts in San Francisco, will move as fast as our union can and will move to meet with the PMA so as to negotiate a decent contract.

Although it may be that when we resume negotiations our employer's attitude might be tougher because of the President's order, I hope the PMA doesn't make that mistake. If it does, it will be making a sad mistake indeed.

The Coast Negotiating and Strategy Committee returns to San Francisco on Monday, January 31. It will meet with the PMA in negotiation the afternoon of January 31. It may

happen that negotiations will be delayed because the Senate Labor Committee, under the direction of Chairman Harrison A. Williams, Jr., of New Jersey, begins holding hearings on the President's order, and I, at least, and maybe other members of the committee too must appear at such hearings to present the union's objections to the President's action



Another interesting aspect of the order is that in addition to naming the ILWU, all West Coast teamster locals are named and spelled out local by local. On top of that, the order likewise covers not only our Hawaii longshore division but the entire Local 142.

So, maybe the order will be a big step toward something we haven't done ourselves yet, namely, merging the ILWU with the Teamsters and bringing about one longshore agreement covering the West Coast longshoremen and Hawaii.

So, all hands on deck! Stand by for further developments. Beware of phony newspaper reports even though they claim to originate with "well-informed" union source or spokesman. All newspapers—and I mean all—have to join in and support this move by Mr. Nixon. And they will. Just be patient and get the straight dope at your local meetings or from The Dispatcher.

  
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