You cannot hope to bribe or invest, thank God, the British (American?) journalist. But seeing what the man will do unbribed, there is no reason to.

- Hilaire Belloc

It is easier to commit a crime than master algebra.

- Homer W. Giles

NLRB CAN'T RESCUE UNIONS
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Round up the usual suspects. President Bush is a busy guy. With a lot of things to do. And, up until the need for re-election beckoned, domestic issues just didn't grab his attention.

And the fact is that the NLRB has not been doing much to protect the First Amendment rights of individual employees.

But what have the NLRB and its general counsel, Jerry Hunter, been doing for the last four years to protect these employee rights? They certainly can't use foreign policy as an excuse. And unlike the Department of Labor, the NLRB doesn't take orders from the President. It is an independent agency whose primary function is to protect the individual rights of employees.

As its general counsel, Hunter plays a major role in shaping NLRB policy because of his enormous discretion in deciding which cases to prosecute. And the fact is that the NLRB has not been doing much to protect the First Amendment rights of individual employees. So what is their excuse?

It's easier to understand if you think of labor unions as dinosaurs. All the signs are there — the lumbering gait, the bloated countenance, the musty smell of creatures living beyond their time, destined for extinction. And think of the NLRB and Hunter as game wardens who believe their prime purpose is to protect and preserve the dinosaurs as the endangered species they are.

The wardens are fighting a losing battle. Before national labor laws were passed in the 1930's, only 11% of the private work force belonged to labor unions. After the creation of the NLRB, union membership soared to 23% of the work force in 1937 and 35% in the early 1950's at the height of the Korean War. After that, it was all downhill: 27% in 1970; 22% in 1980; and today, less than 12%. Before the turn of the century it will be under 10%.

...a union's only weapon, a strike, can be hazardous to your job when your employer uses the other side of the blade -- giving your job to someone who wants it more.

The decline is not only statistical. The recent capitulation of the United Auto Workers in its five-month strike against Caterpillar is vivid proof. The UAW folded at the threat of permanent replacements for the strikers because, if it hadn't, scores of Caterpillar workers were going back to work to save their jobs in defiance of their union.

They weren't about to learn the hard way that a union's only weapon, a strike, can be hazardous to your job when your employer uses the other side of the blade — giving your job to someone who wants it more.

Herein lies the explanation for what the NLRB has been doing for the past four years — fighting a rear-guard action to slow the decline in union membership. Understandably, making it easier for employees to assert their First Amendment rights and more difficult for unions to spend employee dues on their favored political candidates and causes is not high on the agenda of the NLRB or its general counsel.

What is? Maintaining a traditional adversarial relationship between companies and workers is important. A case in point is the attempt by General Counsel Hunter to declare illegal the growing trend in American industry toward greater employee involvement in decision making.

Hunter claims in a complaint against Electromation, Inc. that volunteer employer-employee action committees devoted to single topics such as a communication network, a no-smoking policy, an attendance bonus program, and absenteeism are illegal under federal labor law. Such employer-employee committees, are, this reasoning goes, akin to company-dominated labor unions and would undermine the traditional adversarial nature of management-labor law.

Hunter has already won at the trial level and the case is now on appeal to the NLRB, which heard oral arguments late last year.

Hunter's decision to prosecute Electromation is significant because it betrays a bureaucratic mindset, a blinkered view of an adversarial model of labor relations as the only acceptable one.

It is a myth that American industry is not competitive in the world economy.

It is a myth that American industry is not competitive in the world economy. While labor unions were declining in the 1980s, American productivity in manufactured goods was increasing 3.1% a year, faster than in European countries and the same as in Japan, which started from a much lower base. During that same period, U.S. manufacturing labor costs declined 7%, while in the eight other top industrial economies, including Japan, labor costs rose by more than 45%.

Every noble work is at first impossible.

- Carlyle

...the United States is, as Forbes recently described it, the world's most competitive economy.

Indeed, our so-called trade deficit is largely made up of automobiles and imported oil; in everything else, from computers to aircraft, semiconductors, medical instruments, communications and chemicals, the United States is, as Forbes recently described it, the world's most competitive economy. Our trade surplus with Europe alone is $16 billion, and we export more to Japan than we do to any European country.

Worker involvement has played an important role in this turnaround in American manufacturing productivity. It is not the only reason, to be sure, but a vital component nonetheless, whether in the form of Japanese-style quality circles, productivity committees, or the other myriad forms that worker empowerment on the factory floor has taken.

Hunter wants all this to end. Then he can return to the confrontational labor relations of earlier decades when unions had more members, U.S. companies did not face foreign competition, management and labor treated each other as enemies, and the NLRB was not yet occupied with institutional self-preservation.

Rolling back employee involvement and improved U.S. productivity are not Hunter's only goals. He also seeks to make it easier — and penalty-free — for union supporters to threaten managers with bodily harm, even death.

In a case involving Precision Window Manufacturing, Hunter filed a complaint seeking the reinstatement of a union supporter who, in a workplace altercation, threatened to kill his supervisor.

Escorted from the plant, the supporter vowed to return at the end of the shift to carry out his threat. And return he did, waiting in a car outside the factory gates. Police were called, and they prevented the employee from taking further action. No harm, no foul, claimed Hunter, and he persuaded the NLRB to reinstate the union supporter and give him a second chance.

"A second change at what?" is a legitimate question for the threatened supervisor and his company. Hunter doesn't care. Dinosaurs need all the protection they can get.

Cynics might question whether George Bush really cares about the First Amendment rights of employees or whether his executive order simply marks another election year conversion.

And the fact is, Bush cannot undo the past four years while he sat on his hands and watched the NLRB and Hunter sit on theirs, leaving employees and their First Amendment rights unprotected.

But Bush can do something a lot more concrete than simply begging the NLRB to adopt more expeditious procedures for handling workers' complaints about union dues. He can ask for Hunter's resignation as general counsel.

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AEF TRUSTEE CHAMBERLAIN AUTHORS NEW BOOK

The following article is taken from the forward to John Chamberlain's new book *The Turnabout Years* and was written by Priscilla Buckley. Mr. Chamberlain is a columnist and author as well as a trustee of The American Economic Foundation. The book is published by Jameson Books, Inc., P.O. Box 738, Ottawa, IL 61350.

He (John Chamberlain) became distrustful of government, of statism, and of practitioners of government. All politicians, he found, "even so enlightened a politician as Bob Taft, had varying degrees of the Chanticleer complex: they thought that their crowing had something to do with the sun coming up." And he discovered a greater truth still, as he explained in a *Freeman* review in March 1952:

> The notion that man's future can be planned collectively, with the state serving as the compulsory planning agent, seals the creative and spontaneous founts that lie deep in human nature. It closes the future to the benefits of inventiveness, of energy, of elegance, of amusing diversions, of adventure, of expression, and of success in any one of the seven arts and the manifold theoretical sciences. It is not only that a Henry Ford would have no chance under socialism. A Shakespeare, a Josiah Willard Gibbs or a Max Planck would be equally impossible. And a Jesus of Nazareth would be strangled at his first suggestion that Caesar is not God.

Finally, John Chamberlain brought to his job at the *Freeman* a unique experience as a book

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