LABOR RELATIONS LAW: CASES AND MATERIALS

Twelfth Edition
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LABOR RELATIONS LAW:
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Twelfth Edition

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Preface to the Twelfth Edition

The last several decades have seen an explosive growth in the law governing the workplace. Even the name of the subject has changed at some schools from Labor Relations Law to Labor and Employment Law or Work Law to reflect the expanding governmental regulation of employer-employee relations, as distinct from traditional union-management relations. Although some professors still try to include both labor relations law and employment law within the same course, most law schools have created separate courses covering Employment Discrimination Law, Individual Employment Rights, and Fringe Benefit Law. We agree with this trend, because we believe there is a substantial risk of superficiality and a lack of focus if someone tries to include all of these areas in a single three- or four-hour offering. We also think that those two almost unique American institutions — the representative labor union and the collective bargaining process as they have evolved in this country — deserve study in a setting in which they occupy the center stage.

Like its predecessors, the twelfth edition of this casebook is designed for an intensive examination of the union-management relationship throughout its major phases. We begin with a focus on the right of employees to join together for organizational purposes, regulation of the union organizing process, development of bargaining relationships, the negotiation of collective agreements, including resort to economic weapons, and the enforcement of those agreements. Kind words from many readers, both faculty members and students, have indicated that the structure of recent editions has been conducive to that purpose. In this edition, we have added new sections discussing what unions must do to remain relevant in our post-industrial economy and containing criticisms of existing National Labor Relations Act provisions and suggesting possible reforms. We have also condensed the materials pertaining to the regulation of internal union affairs.

As in the past, we have tried to respond generously to the most significant current developments in the field, while simultaneously providing a set of materials that will be truly manageable in the usual three- or four-hour courses. For this revision, we will continue our practice of publishing a biennial softbound supplement to keep the book up-to-date.

We must finally express our appreciation to Toby Gillette, Dominic Pavia, and Dave Stanek whose capable and conscientious research assistance contributed substantially to this revision, and to Shelly Ford for her expert technical assistance.

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# Table of Contents

Part One  
**INTRODUCTION AND HISTORICAL BACKGROUND . . 1**

UNION RELEVANCE IN 21ST CENTURY ................................. 1  
Charles B. Craver, *Why Labor Unions Must (and Can) Survive* ........ 1  
Marion Crain & Ken Matheny, *Labor’s Identity Crisis* .............. 5  
Note ............................................................................ 7  

Sec. I. HISTORICAL BACKGROUND ..................................... 8  
A. THE PRE-CIVIL WAR PERIOD ................................... 9  
1. Early Development of Labor Unions ................................ 9  
2. The “Criminal Conspiracy” Doctrine .......................... 9  
   *Philadelphia Cordwainers’ Case* [Commonwealth v. Pullis] .... 9  
B. THE POST-CIVIL WAR ERA .................................... 11  
1. The Growth of National Unions and Labor Unrest ............ 11  
2. Judicial Reaction and the Labor Injunction ................. 12  
3. Labor Unions from 1900 to 1933 ............................ 13  
C. THE PERIOD SINCE 1933 .................................. 13  
1. The Initial New Deal Labor Policies ....................... 13  
2. The National Labor Relations Act (Wagner Act), 1935 ......... 13  
   *NLRB v. Jones & Laughlin Steel Corp.* ..................... 14  
3. Union Growth Under the Wagner Act: The CIO and Industrial  
   Unions ............................................................. 15  
4. The Labor Management Relations Act (Taft-Hartley Act), 1947 16  
5. The Labor-Management Reporting and Disclosure Act  
   (Landrum-Griffin Act), 1959 .................................. 17  
6. Organized Labor from the 1970s to the Present .......... 18  

Sec. II. INTRODUCTORY MATERIALS ............................. 20  
A. COVERAGE OF THE NATIONAL LABOR RELATIONS ACT .... 20  
1. Scope of the Concept “Affecting Commerce” ................. 20  
2. NLRB Exercise of Its Jurisdiction .......................... 20  
   *NLRB, A Guide to Basic Law and Procedures Under the National  
   Labor Relations Act* .............................................. 20  
3. Exclusions from Coverage .................................. 22  
   a. Independent Contractors .................................... 22  
      *House Committee on Education and Labor* .............. 23  
   b. Supervisory and Managerial Employees .................. 24  
   c. Other Exclusions ......................................... 27  
B. ORGANIZATION AND PROCEDURE OF THE NATIONAL LABOR  
   RELATIONS BOARD ........................................ 29  
C. NLRB RULE-MAKING AUTHORITY ............................ 33
Table of Contents

Part Two ORGANIZATION AND REPRESENTATION OF EMPLOYEES

Bernard Karsh, Diary of a Strike ........................................ 36

Sec. I. THE RIGHT OF SELF-ORGANIZATION; PROTECTION AGAINST EMPLOYER UNFAIR LABOR PRACTICES

A. EMPLOYER INTERFERENCE, RESTRAINT, OR COERCION ......... 37
   1. Limiting Organizational Activities on Employer’s Premises ...... 38
      Lechmere, Inc. v. NLRB ........................................... 38
      Notes ......................................................... 47
      NLRB v. United Steelworkers [Nutone, Inc.] .................... 52
      Note ......................................................... 54
   2. Anti-union Speeches and Publications ............................ 54
      Notes ......................................................... 57
      NLRB v. Gissel Packing Co. ................................... 58
      Notes ......................................................... 62
      May Department Stores Co. .................................... 63
      Note ......................................................... 68
   3. Interrogation ............................................... 68
      Blue Flash Express, Inc. ....................................... 68
      Notes ......................................................... 72
   4. Economic Coercion and Inducement .............................. 74
      NLRB v. Exchange Parts Co. .................................. 74
      Notes ......................................................... 76
   5. Violence, Intimidation, Espionage, and Surveillance .......... 78
   6. Employer Responsibility for Anti-Union Conduct of Subordinates and Others .................................. 79

B. EMPLOYER DOMINATION OR SUPPORT ............................. 80
   Note ......................................................... 83
   International Ladies’ Garment Workers’ Union v. NLRB [Bernhard-Altmann Texas Corp.] ......................... 84
   Notes ......................................................... 87

C. EMPLOYER DISCRIMINATION ....................................... 88
   1. General Considerations; Problems of Proof .................... 88
      Statutory References ........................................ 88
      Problems .................................................... 89
      Notes ......................................................... 90
   2. Discrimination to Encourage Union Membership ............... 95
      a. Hiring Halls and Other Practices ........................ 95
         International Brotherhood of Teamsters, Local 357 v. NLRB ... 95
# Table of Contents

Notes .......................................... 99

*United Brotherhood of Carpenters & Joiners Local 60 v. NLRB* ........................................ 102

Notes ........................................... 102

b. Union Security Under Federal Legislation .................................. 103

*Statutory References* ........................................ 103

*NLRB v. General Motors Corp.* ................................ 104

*Marquez v. Screen Actors Guild* ................................... 109

Notes ............................................... 109

*Ellis v. Brotherhood of Railway, Airline & Steamship Clerks* .......... 112

Notes ............................................... 122

c. State “Right-to-Work” Legislation ........................................ 127

*Statutory References* ........................................ 127

*Retail Clerks, Local 1625 v. Schermerhorn* .......................... 127

Notes ............................................... 129

*Retail Clerks International Ass’n, Local 1625 v. Schermerhorn* .................. 130

3. Protected Concerted Activities and Employer Response .............. 130

*NLRB v. City Disposal Systems* ................................... 132

Notes ............................................... 138

*NLRB v. J. Weingarten, Inc.* .................................... 139

Notes ............................................... 140

*Elk Lumber Co.* ........................................ 144

Notes ............................................... 146

*Mastro Plastics Corp. v. NLRB* .................................. 149

Notes ............................................... 154

*NLRB v. Mackay Radio & Telegraph Co.* ................................ 155

Notes ............................................... 156

*Trans World Airlines, Inc. v. Independent Federation of Flight Attendants* .......... 160

Notes ............................................... 170

4. Lockouts, Plant Closings, and “Runaway Shops” ....................... 172

*NLRB v. Truck Drivers, Local 449, International Brotherhood of Teamsters [Buffalo Linen Case]* .................. 172

*NLRB v. Brown* ........................................... 173

Notes ............................................... 178

*American Ship Building Co. v. NLRB* ................................ 179

Notes ............................................... 188

*Proof of Motive in Cases Involving Violations of § 8(a)(3) and (1)* .......... 191

Notes ............................................... 192
# Table of Contents

*Textile Workers Union v. Darlington Mfg. Co.* ...................... 193  
Notes ........................................... 199

5. Remedial Problems ........................................ 201  
*Clear Pine Mouldings, Inc.* ...................................... 201  
Notes ........................................... 206  
*Phelps Dodge Corp. v. NLRB* ........................................ 207  
Notes ........................................... 208

Sec. II. REPRESENTATION QUESTIONS .................................. 210

A. ESTABLISHING REPRESENTATIVE STATUS THROUGH NLRB ELECTIONS .................................................. 210

Statutory References ................................................. 210

* NLRB, Twenty-Sixth Annual Report .................................. 211
* NLRB, Forty-Sixth Annual Report .................................... 212
Notes ........................................... 212

1. Bars to Conducting an Election .................................. 213

* NLRB, Thirty-Seventh Annual Report ............................. 213  
Notes ........................................... 214

2. Defining the Appropriate Unit .................................... 215

* NLRB, Thirteenth Annual Report .................................. 215  
Notes ........................................... 216

a. Multiple Plant Units ............................................. 217

* NLRB, Seventeenth Annual Report ................................. 217  
Notes ........................................... 218

b. Multiple Employer Units ............................................ 218

* NLRB, Twenty-Third Annual Report ................................ 218  
* Charles D. Bonanno Linen Service, Inc. v. NLRB ............... 219  
Notes ........................................... 221

3. The Conduct of Representation Elections ......................... 221

* NLRB, Thirty-First Annual Report .................................. 221  
Notes ........................................... 222

* NLRB, Thirty-First Annual Report .................................. 223  
Notes ........................................... 224

4. Court Review of Representation Proceedings ................... 230

* Leedom v. Kyne ............................................. 230  
Notes ........................................... 235

B. ESTABLISHING REPRESENTATIVE STATUS THROUGH UNFAIR LABOR PRACTICE PROCEEDINGS ......................... 235

* NLRB v. Gissel Packing Co. ........................................... 236
Notes ........................................... 246

* Linden Lumber Division, Summer & Co. v. NLRB ............... 248  
Note ............................................. 254
Table of Contents

C. DURATION OF THE DUTY TO BARGAIN .................. 254
   Brooks v. NLRB ........................................ 254
   Notes .................................................. 257
   Auciello Iron Works, Inc. v. NLRB ..................... 259
   Notes .................................................. 263
   NLRB v. Curtin Matheson Scientific, Inc. ............. 264
   Notes .................................................. 273
   American Seating Co. ................................... 274
   Note .................................................... 276
   International Ladies’ Garment Workers’ Union Local 57 v. NLRB
   [Garwin Corp.] ......................................... 276

Part Three UNION COLLECTIVE ACTION .................. 279
   Selig Perlman, A Theory of the Labor Movement ........... 279
   Toward Labor ............................................ 280
   Lloyd G. Reynolds, Stanley H. Masters & Colletta H. Moser, Labor
   Economics and Labor Relations .......................... 280

Sec. I. INTRODUCTION ........................................ 281
   A. COLLECTIVE ACTION AT COMMON LAW ................. 281
   B. ANTI-INJUNCTION STATUTES ............................ 282
      Marine Cooks & Stewards v. Panama S.S. Co. .......... 282
      Notes .................................................. 283

Sec. II. UNION DISCIPLINE ................................. 285
   NLRB v. Allis-Chalmers Mfg. Co. ......................... 285
   Notes .................................................... 292
   NLRB v. Boeing Co. ..................................... 294
   Note ..................................................... 294
   Pattern Makers’ League of North America v. NLRB ....... 295
   Notes .................................................... 306

Sec. III. ORGANIZATIONAL AND RECOGNIZATIONAL PICKETING .. 307
   NLRB v. Drivers, Chauffeurs, Helpers, Local 639 [Curtis Bros.] .... 307
   Note ..................................................... 309
   International Hod Carriers Local 840 [Blinne Construction Co.] .... 310
   Note ..................................................... 318
   Smitley, D/b/a Crown Cafeteria v. NLRB ................. 318
   Notes ..................................................... 321
   Houston Building & Construction Trades Council [Claude Everett
   Construction Co.] ..................................... 322
   Notes ..................................................... 324

Sec. IV. SECONDARY PRESSURE .............................. 325
   Notes ..................................................... 325
Table of Contents

A. PRIMARY-SECONDARY DISTINCTION ...................... 329
   NLRB v. International Rice Milling Co. ................ 329
   Notes ........................................ 331

B. COMMON SITUS PROBLEMS .............................. 333
   Sailors' Union of the Pacific & Moore Dry Dock Co. .. 333
   Notes ...................................... 335
   NLRB v. Denver Building & Construction Trades Council 336
   Note ..................................... 341
   Notes ...................................... 348
   Building & Construction Trades Council of New Orleans [Markwell & Hartz, Inc.] 349
   Notes ...................................... 358

C. THE ALLY DOCTRINE ................................. 359
   Notes ...................................... 363

D. CONSUMER PICKETING ................................. 364
   NLRB v. Retail Clerks, Local 1001 [Safeco Title Insurance Co.] 364
   Note ...................................... 372

E. THREATS AND COERCION OF SECONDARY EMPLOYERS 372
   NLRB v. Servette, Inc. ................................ 372
   Notes ...................................... 372
   Edward J. Debartolo Corp. v. Florida Gulf Coast Building Trades Council ........................................ 373
   Notes ...................................... 380

F. HOT CARGO AGREEMENTS ............................ 381
   United Brotherhood of Carpenters & Joiners, Local 1976 v. NLRB [Sand Door] 381
   Notes ...................................... 384
   Connell Construction Co. v. Plumbers Local 100 ........... 386
   Notes ...................................... 396
   Labor and Antitrust ................................ 397
   Amalgamated Meat Cutters & Butcher Workmen Local 189 v. Jewel Tea Co. 397
   United Mine Workers v. Pennington 398
   Note ...................................... 399
   National Woodwork Manufacturers Ass'n v. NLRB 399
   NLRB v. International Longshoremen's Ass'n ........... 406
   Notes ...................................... 409
Table of Contents

G. DAMAGES FOR UNLAWFUL SECONDARY ACTIVITY ................................. 410
   United Mine Workers, District 28 v. Patton ........................................... 410
   Notes ........................................................................................................... 412

Sec. V. JURISDICTIONAL DISPUTES ............................................................. 412
   NLRB, Thirty-Seventh Annual Report ........................................................... 412
   NLRB v. Radio & Television Broadcast Engineers Local 1212 (CBS) .......... 413
   Notes ........................................................................................................... 414

Sec. VI. “FEATHERBEDDING” ............................................................. 416
   American Newspaper Publishers Ass’n v. NLRB ................................................. 416
   NLRB v. Gamble Enterprises, Inc. ................................................................. 417

Sec. VII. NATIONAL LABOR RELATIONS ACT PREEMPTION ...................... 418
   San Diego Building Trades Council v. Garmon ............................................... 419
   Notes ........................................................................................................... 421
   Amalgamated Ass’n of Street, Electric Railway & Motor Coach
   Employees of America v. Lockridge ............................................................. 422
   Notes ........................................................................................................... 430
   International Brotherhood of Teamsters, Local 24 v. Oliver ....................... 431
   Lodge 76, Int’l Ass’n of Machinists & Aerospace Workers v. Wisconsin
   Employment Relations Commission ............................................................. 432
   Chamber of Commerce of the United States v. Brown .............................. 432
   Notes ........................................................................................................... 433
   Metropolitan Life Ins. Co. v. Massachusetts .................................................. 434
   Note ............................................................................................................... 435
   Sears, Roebuck & Co. v. San Diego County Dist. Council of
   Carpenters ..................................................................................................... 435
   Notes ........................................................................................................... 437
   Belknap, Inc. v. Hale ...................................................................................... 439
   Notes ........................................................................................................... 449

Part Four COLLECTIVE BARGAINING ..................................................... 453
   Albert Rees, The Economics of Trade Unions .............................................. 453
   Freeman & Medoff, The Two Faces of Unionism, in the Public
   Interest ......................................................................................................... 454
   Notes ........................................................................................................... 456

Sec. I. THE DUTY TO BARGAIN COLLECTIVELY ................................... 457
A. EXCLUSIVE REPRESENTATION AND MAJORITY RULE .................... 457
   J. I. Case Co. v. NLRB .................................................................................. 457
   Notes ........................................................................................................... 459
   Emporium Capwell Co. v. Western Addition Community
   Organization ................................................................................................. 461
   Notes ........................................................................................................... 467

B. THE NATURE OF THE DUTY TO BARGAIN .................................... 469
# Table of Contents

1. Good Faith ......................................... 471
   General Electric Co. ................................ 472
   Note ............................................ 476
   *NLRB v. General Electric Co.* ....................... 477
   Notes ........................................... 482
   Notes ........................................... 491
   *NLRB v. Insurance Agents’ International Union* .......... 492
   General Electric Co. v. *NLRB* .......................... 492
   Notes ........................................... 493
   Charles D. Bonanno Linen Service, Inc. v. *NLRB* ........ 495
   Notes ........................................... 495

2. Bargaining Remedies .................................. 496
   *H. K. Porter Co. v. NLRB* ............................. 496
   Notes ........................................... 501
   *Ex-Cell-O Corp.* ................................... 501
   Notes ........................................... 508

3. Unilateral Action ..................................... 514
   *NLRB v. Katz* ..................................... 514
   Notes ........................................... 517

4. Supplying Information ................................. 523
   *NLRB v. Truitt Manufacturing Co.* .................. 523
   *NLRB v. Acme Indus. Co.* ......................... 525
   Notes ........................................... 526

C. THE SUBJECT MATTER OF COLLECTIVE BARGAINING ...... 534
   *NLRB v. Wooster Division of Borg-Warner Corp.* .......................... 534
   Notes ........................................... 537
   *Allied Chemical & Alkali Workers Local 1 v. Pittsburgh Plate Glass Co.* ..................... 542
   Notes ........................................... 547
   *Fibreboard Paper Products Corp. v. NLRB* ............ 551
   Notes ........................................... 557
   *First National Maintenance Corp. v. NLRB* .......... 559
   Notes ........................................... 568
   *Dubuque Packing Co.* ................................ 568
   Notes ........................................... 570

D. THE DUTY TO BARGAIN DURING A CONTRACT’S TERM .... 573
   *The Jacobs Manufacturing Co.* ........................ 573
   Notes ........................................... 579
# Table of Contents

**NLRB v. Lion Oil Co.** .................................................. 583
Notes ................................................................. 583

**Sec. II. THE ENFORCEMENT OF THE COLLECTIVE AGREEMENT** .... 584
Archibald Cox, *Law and the National Labor Policy* ................. 584

A. **THE LEGAL STATUS OF THE COLLECTIVE AGREEMENT** ........ 584
Note ................................................................. 586

B. **THE ENFORCEMENT OF THE COLLECTIVE AGREEMENT** ......... 587
THROUGH THE GRIEVANCE PROCEDURE AND
ARBITRATION ............................................................. 587

  *Labor Study Group, The Public Interest in National Labor Policy* .. 587

1. The Grievance Procedure .............................................. 587

2. Voluntary Arbitration ................................................ 588
   a. Interest Arbitration ............................................. 589
   b. Grievance Arbitration .......................................... 591

3. Arbitration Under the Railway Labor Act .......................... 593
   Note ................................................................. 594

C. **JUDICIAL ENFORCEMENT OF THE COLLECTIVE AGREEMENT** .... 595

1. The Enforcement of Voluntary Arbitration Agreements ............ 595
   a. At Common Law .................................................. 595
   b. State Arbitration Statutes ..................................... 596
   c. Section 301 of the Labor Management Relations Act .......... 598
      *Textile Workers Union v. Lincoln Mills* ....................... 598
      Notes ............................................................. 602
      *Retail Clerks International Ass’n v. Lion Dry Goods, Inc.* .. 604
      Note ............................................................. 604
      *United Steelworkers v. Warrior & Gulf Navigation Co.* ...... 605
      *United Steelworkers v. American Mfg. Co.* ................... 611
      Notes ............................................................. 611
      *AT&T Technologies, Inc. v. Communications Workers of America* ............................................. 613
      *Granite Rock Co. v. Int’l Bhd. of Teamsters* ................ 614
      Notes ............................................................. 616
      *Nolde Bros. v. Bakery & Confectionery Workers Local 358* ... 618
      Notes ............................................................. 619
      *United Steelworkers v. Enterprise Wheel & Car Corp.* ....... 621
      Note ............................................................. 622
      *Major League Baseball Players Ass’n v. Garvey* .............. 622
      Notes ............................................................. 624
      *United Paperworkers International Union v. Misco, Inc.* .... 629
      Notes ............................................................. 631
Table of Contents

Eastern Associated Coal Corp. v. United Mine Workers
   District 17 .................................................. 632
   Notes ....................................................... 637

2. The Enforcement of Strike Bans and the Effect of Norris-La Guardia ........................................... 639
   Felix Frankfurter & Nathan Greene, The Labor Injunction .... 639
   Teamsters, Chauffeurs, Warehousemen & Helpers, Local 174 v.
   Lucas Flour Co. ........................................... 640
   Notes ....................................................... 643
   Boys Markets, Inc. v. Retail Clerks Local 770 ............... 644
   Notes ....................................................... 650
   Buffalo Forge Co. v. United Steelworkers .................. 654
   Notes ....................................................... 661
   Complete Auto Transit, Inc. v. Reis ......................... 662
   Notes ....................................................... 663

D. CONTRACT RIGHTS AND STATUTORY RIGHTS — OVERLAPPING LAW AND FORUMS .............................................. 666

1. Within the Federal System ........................................ 666
   a. Unilateral Contract Modification Cases ..................... 666
      NLRB v. C & C Plywood Corp. ................................ 666
      Notes ..................................................... 670
      Milwaukee Spring Division of Illinois Coil Spring Co. .... 672
      Notes ..................................................... 678
   b. Contract Rejection in Bankruptcy ........................... 679
      NLRB v. Bildisco & Bildisco ................................ 679
      Notes ..................................................... 679
   c. Deference to Arbitration .................................... 681
      Collyer Insulated Wire .................................... 682
      Notes ..................................................... 689
      Carey v. Westinghouse Electric Corp. ........................ 694
      Notes ..................................................... 694
      Smith v. Evening News Ass’n ................................ 696
      Notes ..................................................... 697
   d. Union Waiver of Individual Statutory Forum Rights ....... 697
      Alexander v. Gardner-Denver Co. ............................ 697
      Notes ..................................................... 699
      Gilmer v. Interstate/Johnson Lane Corp. .................... 700
      Notes ..................................................... 701
      Wright v. Universal Maritime Serv. Corp. .................... 703
      Notes ..................................................... 703
      14 Penn Plaza LLC v. Pyett ................................. 704
Table of Contents

Notes .......................................................... 714

2. Section 301 Preemption and State Claims .................. 718
   Lingle v. Norge Division of Magic Chef, Inc. ............... 718
   Notes .......................................................... 723
   Livadas v. Bradshaw ......................................... 727
   Notes .......................................................... 735

E. SUCCESSOR EMPLOYERS’ CONTRACTUAL AND BARGAINING
OBLIGATIONS .................................................. 738
   John Wiley & Sons, Inc. v. Livingston ....................... 738
   Notes .......................................................... 739
   NLRB v. Burns International Security Services, Inc. ....... 739
   Howard Johnson Co. v. Detroit Local Joint Executive Board . 746
   Notes .......................................................... 747
   Fall River Dyeing & Finishing Corp. v. NLRB ............... 753
   Notes .......................................................... 764

Sec. III. FAIR REPRESENTATION AND INDIVIDUAL CONTRACT
RIGHTS ....................................................... 766
   Archibald Cox, The Duty of Fair Representation ............ 766
   Clyde W. Summers, Individual Rights in Collective Agreements and Arbitration ................. 767

A. JUDICIAL ENFORCEMENT OF FAIR REPRESENTATION .... 767
   Steele v. Louisville & Nashville Railroad .................... 767
   Notes .......................................................... 770
   1. Defining the Duty ........................................... 771
      Vaca v. Sipes ............................................. 771
      Notes .......................................................... 779
      Air Line Pilots Ass’n, Int’l v. O’Neill ...................... 781
      Notes .......................................................... 782
   2. Relationship to Contract Breach .......................... 785
      Hines v. Anchor Motor Freight, Inc. ......................... 785
      Notes .......................................................... 789
      Clayton v. International Union, United Automobile Workers ......................... 791
      Notes .......................................................... 791
      Glover v. St. Louis-San Francisco R. Co. .................. 792
      Notes .......................................................... 792

B. UNFAIR REPRESENTATION AS AN UNFAIR LABOR
   PRACTICE ................................................... 793
   Teamsters (Ind.) Local 553 (Miranda Fuel Co., Inc.) ....... 793
   Notes .......................................................... 794

C. UNION REPRESENTATION AND ANTIDISCRIMINATION LAW . 798
   1. An Overview of Title VII .................................. 799
   2. The Age Discrimination in Employment Act (ADEA) .... 800
# Table of Contents

3. The Americans with Disabilities Act (ADA) .......................... 800
4. Areas of Tension Between Labor Law and Antidiscrimination Law . 801
   a. Sexual and Racial Harassment by Coworkers ..................... 801
   b. Individual Requests for Accommodation Under the ADA ........... 803

Part Five  INTERNAL UNION AFFAIRS ............................... 807

   A.J. Muste, Factional Fights in Trade Unions ....................... 807
   William M. Leiserson, American Trade Union Democracy ........... 808
   Archibald Cox, Internal Affairs of Labor Unions Under the Labor Reform Act of 1959 .......................................... 808

   A. THE BILL OF RIGHTS ...................................... 810
      Clyde W. Summers, The Impact of Landrum-Griffin in State Courts .......................................................... 810
      Directors Guild of America, Inc. v. Superior Court of Los Angeles County ...................................................... 810

   B. REPORTING AND DISCLOSURE PROVISIONS ........................ 812
      HOUSE COMMITTEE ON EDUCATION AND LABOR .................. 812

   C. TRUSTEESHIPS AND PARENT-LOCAL RELATIONS ..................... 815

   D. THE REGULATION OF RACKETEERING AND COMMUNIST ACTIVITY ......................................................... 815

Part Six  CRITIQUES AND PROPOSALS FOR LABOR LAW REFORM ............................................. 817

Sec. I. LAW’S ROLE IN LABOR’S DECLINE ............................. 817
   Cynthia L. Estlund, The Ossification of American Labor Law ........ 817
   Notes .................................................................... 819

Sec. II. EMPLOYER RESISTANCE TO UNIONIZATION AND COLLECTIVE BARGAINING ............................................. 826
   The Failure of Labor Law — A Betrayal of American Workers, .... 826
   Notes .................................................................... 830
   John Logan, Consultants, Lawyers, and the “Union Free” Movement in the USA Since the 1970s ................................. 832
   Notes .................................................................... 834
   Paul Weiler, Promises to Keep: Securing Workers’ Rights to Self-Organization Under the NLRA ......................... 839
   Notes .................................................................... 842

Sec. III. ECONOMIC WEAPONS AND THE BALANCE OF POWER .......... 842

   A. THE MACKAY RADIO DOCTRINE ................................. 843
      Charles B. Craver, The National Labor Relations Act Must Be Revised to Preserve Industrial Democracy ..................... 843
      Notes .................................................................... 846

   B. RESTRICTIONS ON SECONDARY PRESSURE ....................... 847
      Paul Weiler, Governing the Workplace: The Future of Labor and
Table of Contents

Employment Law ............................................. 847
Notes ..................................................... 849

Sec. IV. THE REPRESENTATION GAP AND EMPLOYEE VOICE AT WORK ...................................................... 850

A. § 8(A)(2) AND EMPLOYEE INVOLVEMENT PROGRAMS .... 851
   Bruce E. Kaufman, The Employee Participation/Representation Gap: An Assessment and Proposed Solution .............. 852
   Michael C. Harper, The Continuing Relevance of Section 8(a)(2) to the Contemporary Workplace ......................... 853
   Notes .................................................................. 854

B. THE EXCLUSIVITY AND MAJORITY RULE DOCTRINES AS BARRIERS TO VOICE ............................................. 856
   Molly S. McUsic & Michael Selmi, Postmodern Unions: Identity Politics in the Workplace ........................................ 856
   Marion Crain & Ken Matheny, “Labor’s Divided Ranks”: Privilege and the United Front Ideology ......................... 857
   Notes .................................................................. 858

Table of Cases ........................................................ TC-1

Index ................................................................. I-1