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*The authors and publisher dedicate this edition to the memory of the late  
Calvin W. Sharpe, an outstanding scholar, professor,  
arbitrator, and human being.*

*DER: To my wife, Caroline, to my children, Katie and Mike, and  
their families, and to the memory of my mother, Hazel Ray*

*RNS: To the memory of my mother and my father, Ruth and Meyer Strassfeld,  
who with their words and deeds taught me the importance of social justice; and in  
memory of my grand uncle Tony, who, because he was an anarchist who believed in  
One Big Union, would have greeted this project with kind-hearted skepticism.*

*ARL: To my partner, Andrew, and my children Justin and Zachary.*





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# Preface

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This book examines the multifaceted and complex law of private-sector labor law. It is a broad and interesting field. Labor legislation has shaped our country's labor relations system and labor law remains an important and evolving part of national policy and the framework of rights that defines our society. We think you will enjoy and benefit from its study.

Because the book focuses on relations between management and labor in the private sector, it deals primarily with the National Labor Relations Act, as amended, and its interpretation and application by the federal courts and the National Labor Relations Board. We have sought to include discussion of major cases found in standard case-books on the subject and, where appropriate, bring in additional cases and other sources to help the reader reach a fuller understanding. We have especially sought to discuss the practical implications of doctrines as well as the interrelationships between them.

The treatise is organized in a format that is consistent with the organization of most Labor Law courses. At the end of each chapter is a section titled "Chapter Highlights." This section is intended to summarize some of the major doctrines discussed in the chapter and should be helpful for review and clarification purposes. Topics chosen for this treatment include matters which our combined teaching experience tells us are frequently misunderstood.

We wish to thank a number of people for the help they provided on this book.

Douglas Ray thanks the many people who made this book possible. I especially thank the research assistants and executive assistants who worked with me during my deanships at Widener, Toledo, and St. Thomas. I also thank President Emeritus Robert J. Bruce of Widener University for his example of principled leadership. I especially am grateful to my former colleagues at Dorsey & Whitney and my colleagues at the Center for American and International Law in Plano, Texas, for the labor law insights they have shared and to my former labor law students whose questions and interest have expanded my understanding. Finally, I thank my co-authors for their friendship and commitment to legal education.

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Ariana Levinson thanks Douglas Ray, Robert Strassfeld, and Ryland Bowman for welcoming and supporting her co-authorship for the sixth edition. She also thanks all

those from whom she has learned Labor Law, including her mentors, her undergraduate and law school professors, former co-workers and client representatives, labor and employment law professors and other academic colleagues, and the labor and co-op advocates across the country and world with whom she has the privilege to work. She also thanks all those who have made her long career in labor law possible, including the University of Louisville Brandeis School of Law and Brandeis students and alumni. She is especially grateful for the editorial and research assistance of Professor William A. Hilyerd, the Legal Reference Services Co-Ordinator at the Louis D. Brandeis School of Law. She also thanks Andie Mooradian and Briana Berry for research assistance.

We wish to express our appreciation to all those at Carolina Academic Press whose efforts led to the publication of this edition. Special thanks are due Managing Editor Ryland Bowman, Printing and Contract Coordinator Tasha Gervais for helping us with the transition to a new publisher, and Book Designer Kathleen Soriano Taylor for putting together the final version of this Fifth Edition.

We would appreciate your suggestions and reactions. Chapters 6, 8, 9, 10, 11, and 12 were the primary responsibility of Douglas Ray; Chapters 2, 3, 5, 7, 13, 16, and 18 were the primary responsibility of Calvin Sharpe and Ariana Levinson; and Robert Strassfeld was primarily responsible for Chapters 1, 4, 14, 15, and 17.

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