

The original documents are located in Box D26, folder “Associated Builders and Contractors Dinner Speech, Washington, DC, February 18, 1969” of the Ford Congressional Papers: Press Secretary and Speech File at the Gerald R. Ford Presidential Library.

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NOTES FOR ASSOCIATED BUILDERS AND CONTRACTORS DINNER SPEECHTheme is Labor Law Reform

2/18/69

WASH. D.C.

(I think your theme should be that it is time to reassert the public interest in labor-management relations...time to make the ~~public~~ interest controlling.)

~~THE~~ ...YOUR HOSTS WILL BE MOST INTERESTED IN THE COMMON

SITUS PICKETING BILL. THE DEMOCRATS WILL BE PUSHING FOR IT

AGAIN. IT HAS BEEN INTRODUCED BY REP. FRANK THOMPSON, N.J.

THE DEMOCRATS WILL GLEEFULLY RECALL THAT IKE PROPOSED COMMON

SITUS PICKETING LEGISLATION IN 1954 AND RENEWED HIS RECOMMENDATION

2/

A COUPLE OF TIMES AFTER THAT. AS YOU KNOW, COMMON SITUS PICKETING LEGISLATION ~~WOULD~~ WOULD AUTHORIZE CONSTRUCTION UNIONS TO SHUT DOWN AN ENTIRE BUILDING PROJECT IF JUST ONE OF THE UNIONS ON A JOB IS IN DISPUTE WITH THE EMPLOYER. THIS IS WHAT THE ~~NLRB~~ NLRB AND THE COURTS, INCLUDING THE SUPREME COURT, NOW SAY IS ~~ILLEGAL~~ ILLEGAL, A SECONDARY ~~BOYCOTT~~ BOYCOTT. YOU'LL RECALL THAT CHARLIE GOODELL LAST YEAR GOT A COUPLE ~~OF~~ OF MINOR AMENDMENTS TO THE BILL OKAYED ~~IN~~ IN COMMITTEE LAST YEAR AND THEN PUSHED ~~AN~~ AN ALTERNATIVE BILL WHICH HEDGED SITUS PICKETING AUTHORITY IN WITH SO MANY RESTRICTIONS THAT ~~UNIONS~~ UNIONS

WOULDN'T BUY HIS BILL. BILL AYRES HASN'T STUCK HIS NECK OUT ON THIS LEGISLATION. ~~HE~~ AS YOU KNOW, HE PLAYS FOOTsie WITH THE UNIONS. HOWEVER, HE RELUCTANTLY SUPPORTED THE GOODELL BILL. WHO WILL PLAY THE GOODELL ROLE THIS YEAR? THERE ISN'T ANYONE, SAYS MIKE BERNSTEIN. SAYS HE CAN'T PREDICT WHAT'LL HAPPEN ON COMMON SITU.

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~~ANOTHER~~ ANOTHER ~~BILL~~ BILL ~~THAT'S~~ THAT'S ON TAP IS THE "PRODUCT ² PROMOTION FUND" BILL, WHICH PASSED THE HOUSE LAST

4/

YEAR AND DIED IN THE SENATE. (THE TAFT-HARTLEY ACT MAKES IT ILLEGAL FOR AN EMPLOYER TO CONTRIBUTE TO ANY UNION OR JOINTLY ADMINISTERED FUND EXCEPT FOR CERTAIN SPECIFIC PURPOSES... PENSIONS, WELFARE, HOSPITAL INSURANCE.) UNDER THIS BILL, THE UNIONS COULD JOINTLY ADMINISTER FUNDS TO WHICH EMPLOYERS HAVE TO DATE UNILATERALLY CONTRIBUTED TO PROMOTE THE PRODUCTS OF THE INDUSTRY. THE BILL PROVIDES THAT THE EMPLOYER DOES NOT HAVE TO NEGOTIATE WITH THE UNION REGARDING SUCH A FUND EVEN IF SUCH FUNDS ARE MADE JOINTLY ADMINISTRABLE, BUT THE CONTRACTORS CONTEND THIS IS NO PROTECTION BECAUSE THE UNIONS WITH THEIR STRIKE EX WEAPON

CAN COMPEL THEM TO NEGOTIATE ON THE ISSUE! THE BILL ALSO WOULD LEGALIZE SETTING UP A FUND TO FINANCE A BOARD OR COMMISSION TO MAKE A BINDING DECISION REGARDING THE MEANING OF A LABOR-MANAGEMENT AGREEMENT...i.e., NOT BINDING ARBITRATION BUT BINDING INTERPRETATION. BERNSTEIN SAYS THIS WOULD AID THE RANK AND FILE IN SMALL UNIONS WHICH CAN'T AFFORD TO ~~REPAY~~ PAY OUT MONEY FOR SUCH A PURPOSE. BOB TAFT LAST YEAR OFFERED AN AMENDMENT ~~ON~~ ON THE HOUSE FLOOR WHICH KNOCKED OUT THIS "BINDING INTERPRETATION" PROVISION. BERNSTEIN SAYS THIS WAS A MISTAKE. MANAGEMENT WASE OPPOSED TO THE PROMOTION FUND

6/

LEGISLATION BUT NOT TO THE "BINDING INTERPETATION" PROVISION. THIS BILL IS UP AGAIN THIS YEAR.

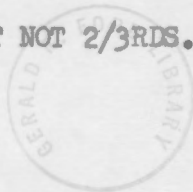
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⁽³⁾ AUTHORIZE ANOTHER BILL ~~IN~~ IN THE E. & L. COMMITTEE ~~W~~ WOULD ~~BE~~ ~~IT~~ A JOINTLY ADMINISTERED FUND FOR SCHOLARSHIPS, ADULT EDUCATION, NURSERY SCHOOLS FOR WORKING MOTHERS, ETC. THE COMMITTEE DIDN'T ACT ON IT LAST YEAR. IT'S UP AGAIN.

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IN ADDITION TO A GENERAL OCCUPATIONS SAFETY AND HEALTH BILL, WHICH DIED IN THE RULES COMMITTEE LAST YEAR, THERE IS A

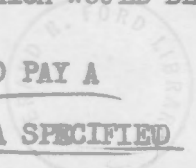
④ CONSTRUCTION SAFETY BILL. THIS ~~WATTER~~ BILL APPLIES ONLY TO ~~CONSTRUCTION FOR THE FEDERAL GOVERNMENT.~~ CONSTRUCTION FOR THE FEDERAL GOVERNMENT. SAFETY STANDARDS ON SUCH PROJECTS WOULD BE LAID DOWN BY THE ~~LABOR~~ LABOR DEPT. ASSOCIATED GENERAL CONTRACTORS DIDN'T OPPOSE IT HEAD ON LAST YEAR, BUT TOOK THE POSITION IT WAS NOT NEEDED. THEY POINTED OUT ~~THE~~ THAT THE NAVY DEPT. ^{+ other gov't depts.} ~~THEY~~ NOW WRITE SAFETY STANDARDS INTO THEIR OWN CONTRACTS. THE BILL CAME UP UNDER SUSPENSION LAST YEAR. IT GOT A MAJORITY BUT NOT 2/3RDS. IT'LL ~~BE~~ BE UP AGAIN THIS YEAR.



THERE ARE TWO MAJOR CATEGORY PENSION AND WELFARE FUND BILLS....

a. ⑤ ONE BILL, THAT GOT OUT OF COMMITTEE LAST YEAR, WOULD EXPAND THE PENSION AND WELFARE FUND REPORTING REQUIREMENTS AND IMPOSE VERY RIGOROUS FIDUCIARY OBLIGATIONS ON THE ADMINISTRATORS OF SUCH FUNDS.

b. ⑥ THE OTHER BILL WOULD GO FARTHER REGARDING PENSIONS. (I PERSONALLY LIKE THE IDEA, AND I THINK AMERICANS GENERALLY WOULD GO FOR IT.) IT WOULD AVOID PENSION PORTABILITY (WHICH WOULD BE TERRIBLY COMPLEX) BUT WOULD REQUIRE AN EMPLOYER TO PAY A PENSION TO AN EMPLOYEE WHO HAD WORKED FOR HIM FOR A SPECIFIED



NUMBER OF YEARS, SAY FIVE YEARS, ETC., SO THAT AN EMPLOYEE
SHIFTING TO ANOTHER ~~JOB~~ WOULD NOT LOSE ~~THE~~ THE PENSION
BENEFITS HE HAD ACCUMULATED UP TO THAT TIME. THE BILL WOULD
REQUIRE ~~EMPLOYERS~~ EMPLOYERS TO TAKE OUT PENSION FUND INSURANCE SO
THAT AN EMPLOYEE WOULD NOT LOSE OUT IF ~~THE~~ THE COMPANY
BECAME ~~DEFUNCT~~ DEFUNCT. IT ALSO PROVIDES FOR A STUDY OF
"PORTABLE PENSIONS."

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ALTHOUGH A COUPLE OF 11-B REPEAL ~~THE~~ BILLS ~~THE~~ HAVE BEEN
INTRODUCED, BERNSTEIN SAYS YOU DON'T HEAR ANY TALK ABOUT IT. AND
LAST YEAR CONGRESS DID NOTHING ON THE SUBJECT.

10/

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THERE NOW ARE THREE NEGROES ~~ON~~ ON THE E. & L. COMMITTEE,
INCLUDING POWELL. BERNSTEIN EXPECTS THEM TO PUSH ~~THE~~ THE
THE ~~(HAWKINS)~~ (HAWKINS) BILL ~~WHICH~~ WHICH WOULD GIVE THE EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION THE ~~POWER~~ POWER TO ISSUE CEASE AND
REGARDING DISCRIMINATION IN EMPLOYMENT--
RESIST ORDERS ~~THE~~ THE KIND OF POWER NOW ENJOYED BY THE
N.L.R.B. IN LABOR*MANAGEMENT MATTERS. THIS LEGISLATION
PASSED THE HOUSE IN THE 89TH CONGRESS, DIED IN THE SENATE.
LAST CONGRESS THERE WERE HEARINGS IN THE SENATE; THAT'S ALL.
IN THE 91ST, IT'S UP AGAIN, AND ~~OGDEN~~ OGDEN REID IS A CO-SPONSOR.

ALSO (AND BUILDERS WOULD HAVE NO PARTICULAR INTEREST IN THIS),
 THERE'S A ⁹ BILL UP TO PUT FARM LABORERS UNDER ~~TAFT-HARTLEY~~.
 THE COMMITTEE REPORTED IT LAST YEAR: IT ~~WAS~~ DIED IN RULES.
 NIXON HAS DIRECTED THE SECRETARIES OF LABOR AND AGRICULTURE
 TO STUDY THE DESIRABILITY OF SUCH LEGISLATION.

NIXON ALSO HAS DIRECTED THE SECRETARIES OF LABOR AND COMMERCE
 TO MAKE A ¹⁰ STUDY OF NATIONAL EMERGENCY STRIKES. BERNSTEIN SAYS
 NIXON MADE A MISTAKE IN CALLING THE PRESENT TAFT-HARTLEY

~~324~~ (Bernstein)
 PROVISIONS "OUTMODED." HE SAYS THERE IS NO ALTERNATIVE BUT
~~TAFT-HARTLEY~~ COMPULSORY ARBITRATION. I DON'T ~~KNOW~~ KNOW THAT
 THIS IS SO. I THINK THE PUBLIC WANTS AT ~~LEAST~~ LEAST AN EFFORT
 MADE AND THAT NIXON SHOULD GIVE IT "THE OLD COLLEGE TRY." I
 THINK HE CAN DO SO WITHOUT ALIENATING THE RANK AND FILE LABOR
 GUY AND COULD MAYBE WIN HIMSELF A LOT OF VOTES EVEN THIS IS A
 VERY ~~SENSITIVE~~ SENSITIVE ~~AREA~~ LEGISLATIVE AREA. I THINK THE
 PUBLIC IS SICK OF THE TREMENDOUS NUMBER OF WORK STOPPAGES WE'VE
 BEEN ~~HAVING~~ HAVING...AND PARTICULARLY THOSE BY PUBLIC
 EMPLOYEES. THERE MUST BE SOME BETTER ANSWERS.

13/

(11)

ONE LAST NOTE... RE: MINIMUM WAGE.

IT'S ~~BE~~ NOW \$1.60; Former LABOR SEC'Y WILLARD WIRTZ SAYS IT
GEORGE SHULTZ SAYS "NOT AT THIS TIME."
SHOULD BE \$2. ~~AFL~~ AFL-CIO IS PUSHING FOR: \$2 MINIMUM WAGE,
DOUBLE-TIME INSTEAD OF TIME AND A HALF FOR OVERTIME, OVERTIME TO
START AFTER 35 HOURS STEAD OF 40 (i.e., WANT A ~~35~~ 35-HOUR WEEK
MADE STANDARD). BERNSTEIN SAYS HE HAS HEARD JOHN DENT SAY HE'S
GOING TO PUSH FOR THE AFL-CIO PROPOSALS BUT SO FAR DENT HAS
NOT YET INTRODUCED THE BILL.

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SUMMING UP: THE UNION PRESSURE IS FOR COMMON SITUUS PICKETING,
JOINTLY ADMINISTERED PRODUCT PROMOTION FUNDS, AND BRINGING "AG"
LABOR UNDER TAFT-HARTLEY. #####

