

Denham Reported Ready To Bypass Union Shop In Building Industry

WASHINGTON, Dec. 19 (AP)—The Taft-Hartley law's top enforcement officer, Robert N. Denham, was reported today that he should bypass the law's union shop election requirement in the giant building industry.

This came out in advance of Denham's appearance today at a national labor relations board hearing. The industry and AFL unions have appealed for a board order exempting them from key provisions of the law.

Denham is the board's general counsel. He was reliably reported as due to announce that from now on he will keep his official eyes shut when a case of a union shop agreement in the industry — claimed to be illegal for lack of a prior NLRB election — is brought to his attention.

Final Say
Under the law Denham has final say on any unfair labor practices cases. He can either accept them or reject them, and in this manner he controls what "unfair" charges get to the board itself for hearing.

Denham also was expected to ask the NLRB to join him in his views on easing the law's application on the building and construction in-

dustry. Denham and the NLRB have run into serious obstacles on applying parts of the law to the industry.

Because of the importance of the situation Denham decided to outline his position to the board in person. Never before in his more than two years as general counsel has Denham argued before the NLRB, always leaving it to aides.

Denham has tried for a long time to work out some way of holding union shop elections on building jobs, or construction areas, and now is ready to call it an impossible task.

Union Shop
A union shop requires workers to become union members once they are hired. The Taft-Hartley law permits this, but only if the NLRB holds an election first, and the employees agree.

With a very few exceptions all such elections held since the law was passed, in the construction as well as other industries, have been carried overwhelmingly in favor of the union shop.

Recognizing this, elimination of the union shop election requirement was voted by the senate this year, but the change got bogged down in the political fight over T-H repeal and never was enacted.



(NEA Telephone)
JAPANESE PHYSICIST—Dr. Ryukichi Sygane, nuclear physics professor at Tokyo University, is shown on arrival in San Francisco enroute to Iowa State College at Ames, Ia. Dr. Sygane will teach for six months at Iowa State and then go to University of California at Berkeley for study at the radiation laboratory.

The construction industry, feeling it has to keep on good terms with the AFL's building trades department, has made union shop agreements right along with AFL unions, ignoring the election requirement.

Those 19 AFL unions represent about 3,000,000 building workers. Neither the industry nor the unions object very much to going through what they consider would be only a formality in holding elections.

The trouble is that the NLRB and Denham have found it impossible to determine the size of the appropriate bargaining unit or the proper time for holding an election. This is due to the changing character of industry payrolls: an employer has 100 men one day, 10 a week later, maybe 200 different workers another week later.

Meyer S. Ryder, attorney for the International Association of Machinists (IAM), opposed waiving any part of the labor law for the building trades. The IAM, now an independent union, quit the AFL several years ago in a scrap over building trades jurisdiction rights.

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