

# Lancaster Farming

## SECOND SECTION

To Meet Agriculture's Special Needs

### FB Calls On Congress To Enact Farmer-Farm Worker Relations Bill

Charles B. Shuman, president of the American Farm Bureau Federation, the nation's largest general farm organization, has called on Congress to enact legislation "to establish rules governing the relationships of farmers and farm workers."

At a Senate Labor Subcommittee hearing on April 17 the farm leader said the new law "should not be a part of the Labor Management Relations Act" because that statute "was designed to fit industrial and commercial concerns and their employees."

"Its language and concepts do not reflect any consideration or recognition of the unique factors relating to agricultural production and employment," Shuman said.

He offered the Senators a rough draft of a bill which he said takes into consideration "many of the special circumstances governing farmer-worker relationships."

Here is the major portion of his statement to the senators:

We recommend the enactment of legislation to establish rules governing the relationships of farmers and farm workers. The major concepts of our proposal are summarized below. In an endeavor to present these concepts in more specific form we have prepared a rough draft of a bill designed to implement them. A copy is attached to the

statements provided members of the Committee.

(1) A separate act

Legislation governing farmer and farm worker relationships should be incorporated in a separate statute. Such legislation should not be a part of the Labor Management Relations Act.

The original National Labor Relations Act of 1935, re-enacted and revised in 1947 as the Labor Management Relations Act, extensively revised in 1959 by the Landrum-Griffin Act, was designed to fit industrial and commercial concerns and their employees.

In the legislative history over the years virtually no consideration was given in the drafting of the Act and revisions thereof to its possible applications to agriculture. Thus its language and concepts do not reflect any consideration or recognition of the unique factors relating to agricultural production and employment.

The Act has been the subject of innumerable judicial decisions and NLRB rulings. A whole body of administrative and judicial law has been built on the framework of the Act. These decisions and rulings, constructed on an Act devised for non-agricultural labor relations, are in many respects poorly designed to fit the circumstances surrounding the agricultural industry.

We have reviewed in this

statement, and in the attached supplementary statement, many of the special circumstances that should be taken into consideration in the enactment of legislation governing farmer-worker relationships.

The concept of a separate labor relations statute geared to the circumstances peculiar to an industry is not unprecedented. The Railway Labor Act governs employee-employer relations in the Railway industry. In 1936 Congress enacted Title II of this Act covering labor relations in the airline industry. Agriculture is a larger industry, and employs more workers than either of these industries — or both combined for that matter.

An extension of the Labor Management Relations Act to agriculture, as proposed in S. 8, would force agriculture into a framework designed for wholly different circumstances and conditions.

(2) Judicial decisions by the Judiciary

We do not believe it is necessary or desirable to delegate responsibility for initial judicial decisions relating to farmer-worker relations to the National Labor Relations Board or to any Board or Commission or Agency.

The conflicting courses and policies of successive National Labor Relations Boards are a matter of record. The Board's policies have fluctuated depend-

ing on who has appointed the majority of the Board. Thus the law, as interpreted by NLRB, has been unstable and shifting. Whatever the merits of handling industrial disputes in this fashion may be, it is neither necessary nor desirable in the case of agriculture.

With this experience of the past as a guide, it is quite feasible to write a statute for agriculture that clearly and specifically places responsibility in this regard in the courts. There is no need to provide for a fed-

eral agency to exercise a judicial function, or to delegate broad discretionary powers to such agency.

Thus we would propose that certain prohibited acts be defined in specific statutory form.

Any party aggrieved by a violation of the statute would have a right to file a civil action in a federal district court. We have endeavored to prescribe a procedure for the application of judicial remedies to specific cases.

There remains the question of representation and decertification elections. We would prescribe the procedure for this in specific detail and delegate responsibility to the US Department of Agriculture for this ministerial function.

We also believe it would be desirable that a second ministerial function be performed by

(Continued on Page 28)

### Growing HEIFERS and Dry COWS need

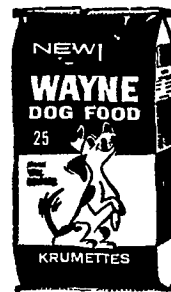
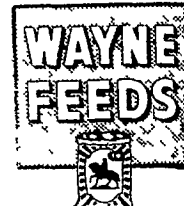


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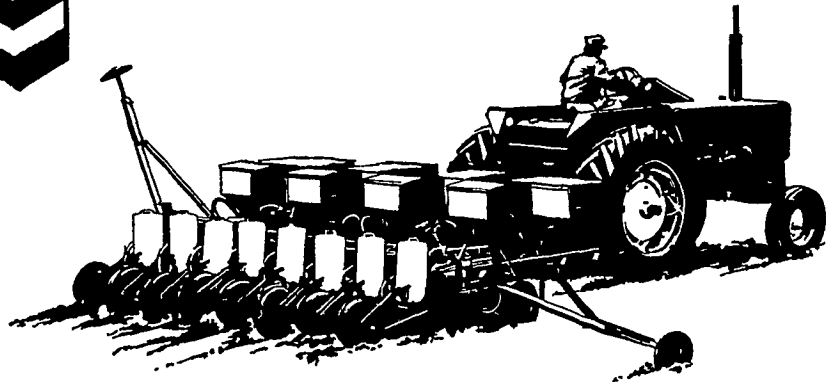
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