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CONTENTS

THE IMPACT ON PRIVATE SECTOR COLLECTIVE BARGAINING

Collective Bargaining in the Reagan Era:
A Management Perspective ....William C. Zifchak 1

Collective Bargaining in the 80's:
Comments and Observations ..........Harry Huge and Layne Carlough McCarthy 23

THE IMPACT OF LESS REGULATION

The Impact of Regulatory Reform on Labor Law:
Redressing the Historical Balance ................Malcolm R. Lovell, Jr. 49

The Origins and Impact of Deregulation .................Wilbur Daniels 63

THE IMPACT ON PUBLIC SECTOR COLLECTIVE BARGAINING

The Impact of the New Labor Policy on Public Sector Bargaining ........Arvid Anderson 71

The Impact on Public Sector Collective Bargaining ......R. Theodore Clark, Jr. 85

THE NLRB, THE CONGRESS, THE COURTS

Is There a New National Labor Policy?
The NLRB and the Courts — Views of a Neutral ................Edith Baum 91

Collective Bargaining in the 1980's:
A Prospective Analysis ........Stephen E. Tallent and Burton J. Fishman 113
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INTRODUCTION

As Dean and as the Edward F. Carlough Distinguished Professor of Labor Law, I salute this the first edition of the Labor Law Forum.

With its publication the Forum joins the Hofstra Law Review and the International Property Investment Journal as the third scholarly publication of our Law School — an outstanding accomplishment in the relatively short 13 years of the Hofstra Law School's existence.

The Labor Law Forum is a significant and logical addition to what we believe is a labor law discipline second to none among the law schools of this country. Its expected prestigious scholarship will add lustre to our extensive course offerings of labor law, collective bargaining, dispute settlement, public sector labor law, labor arbitration and equal employment law, and to the Edward F. Carlough Chair in Labor Law. That Chair, supported by a substantial grant from the Sheet Metal Workers' International Association is, we believe, the first and only chair in labor law endowed by a union in the name of a union official at any law school in the United States.

This first edition of the Labor Law Forum officially reports the proceedings of the first annual Edward F. Carlough Labor Law Conference held on the Hofstra University campus on June 9, 1982.

However, the principal role of the Forum will be to seek and publish articles of excellence on labor law subjects from distinguished practitioners, management and union representatives, government officials and scholars, supplemented by the research and notes and comments of our students.

We are confident that in the months and years ahead the Labor Law Forum will add knowledge and credible viewpoints to the discipline and practice of labor law.

My congratulations to the founding editors and staff and to the incumbent editors and staff for this auspicious beginning.

Eric J. Schmertz
FOREWORD

The Hofstra Labor Law Forum, commissioned during the 1981–1982 academic year, is the third scholarly publication established at the Hofstra University School of Law. It joins the Hofstra Law Review and the International Property Investment Journal.

The Forum will be devoted to various aspects of labor and employment law. Only one other law school in the United States has a publication specializing in this area of law. Because of the extensive labor law sequence offered at Hofstra University School of Law, a publication devoted to this discipline appears to be a natural consequence. The Forum will provide a unique and valuable service to labor practitioners, scholars and students alike, by giving them an opportunity to exchange ideas and insights into their specialized fields of labor law.

Articles are solicited from practitioners and academicians. Further, unsolicited manuscripts are given careful consideration. All staff members are required to submit a note or comment and each edition, after this inaugural edition, will contain those student pieces considered to be of greatest interest and value to the labor community as a whole.

Hofstra University School of Law is the first law school to have a chair in Labor Law endowed by a labor union—the Edward F. Carlough Labor Law Chair endowed by the Sheet Metal Workers International Association. Each spring the Carlough Chair sponsors a Labor Law Conference. This first edition of the Hofstra Labor Law Forum is devoted to articles based on papers that were delivered at this conference in June 1982. The conference addressed the question: “A New National Labor Policy?” Labor’s view, management’s view, and a neutral view were presented in each of four general areas: The Impact of Less Regulation; The NLRB, The Congress, The Courts; The Impact on Private Sector Collective Bargaining, and the Impact on Public Sector Collective Bargaining. In addition to the articles included in this edition of the Forum, papers were presented at the conference by Laurence Gold, General Counsel to the AFL-CIO; James J. Healy, John G. McLean Professor Emeritus of Industrial Relations at Harvard University School of Business; Douglas Soutar, Vice President for Industrial Relations at ASARCO, and Robert M. Tobias, General Counsel to the National Treasury Employees Union. Further, Undersecretary Lovell’s paper was presented by Donald Dotson, who was recently appointed Chairman of the National Labor Relations Board by President Reagan.

The present Forum staff wishes to express its appreciation to Forum members who graduated in 1982 for their efforts in establishing the Forum. We particularly thank founding members David Feldman and Lori Manzer and, further, thank Ms. Manzer for her continued support, assistance and guidance throughout the editing process of this edition.
We gratefully acknowledge the support and assistance we have received from the Edward F. Carlough Labor Law Chair, from Dean Schmertz, Distinguished Visiting Professor Horvitz, Vice Dean Rabinowitz and Assistant Dean Douglas. We also thank the entire law library staff for their cooperation and assistance, particularly Prof. Eugene M. Wypyski and Gerard Giannattasio.

We especially thank our faculty advisor, Prof. Malcolm MacDonald, for his guidance and encouragement. The road to publication of a first edition is never smooth. The knowledge of his steadfast support in all matters, great or small, has helped us to survive the major hurdles, as well as the minor harassments.

Our sincere wish is that the Forum will further the “spirit of cooperation” embodied in Labor-Management Relations.

The Board of Editors