

# Common Site Picket Bill Unwise Legislation

By Congressman James T. Broyhill  
Last week, the House of Representatives shocked the majority leadership

and leaders of organized labor by defeating the highly controversial common site picketing bill. The vote was a surprising 217 to 205 set-back for legislation

which had been listed as organized labor's number one legislative objective. I joined with those who voted to defeat this unwise piece of legislation.

The common site picketing bill, if passed, would have allowed a single building trade union to close down an entire construction site if the

union had a dispute with only one subcontractor. For example, carpenters who had a dispute with one of the construction project's subcontractors

could picket the construction site and prevent plumbers, electricians and bricklayers from working. In 1947 the Taft-Hartley Act was passed speci-

fically prohibiting secondary boycotting, that is, strikes or work stoppages with the goal of forcing any person to cease doing business with any

other person. In 1949, the Supreme Court recognized the relationship between a general contractor and a subcontractor at a construction site and said the Taft-Hartley law prohibiting secondary boycotts was directly applicable to each situation. Ever since then, legislation has been offered in each Congress to exempt construction trades from the requirements of this law.

This legislation would have also allowed unionized workers to picket an entire construction site simply because one of the subcontractors was using non-union labor. The result would have been that few contractors would run the risk of hiring a subcontractor who used non-union labor. The contractor would justifiably be afraid that if he did so, the total construction site could be closed down. The effect would therefore be that non-union construction workers would be unable to find work simply because they chose not to join a union.

I believe every worker has the right to join a union and be represented contract negotiations by the union if he or she chooses to. I also believe that every worker has the right not to join a union. No American worker should have to fear being unable to find a job, just because he or she chooses not to become a member of a union.

Broad public support for common site picketing legislation has been noticeable absent this year. Even rank and file construction union members showed little enthusiasm for this bill. The support for this legislation came almost solely from certain national union leaders whose obvious goal was to compel workers to join unions against their wills. This bill would have provided no wage increases or fringe benefits for rank and file union members, just more power for union bosses.

In March of this year, the influential and nationally-known Roper polling organization conducted a nationwide poll asking a random sampling of the American public whether or not a single union should be able to close down a construction site. The poll results showed that 77 percent of the American people were against the concept of this bill. Despite this strong public sentiment, the liberal majority leadership worked tirelessly to pass the bill, over the objections of those of us in the minority and those more conservative members of the majority party.

President Carter had made it clear to labor leaders during his campaign that he would sign this bill if Congress passed it. Last year, similar legislation narrowly passed the Congress, but President Ford vetoed it. President Carter's Secretary of Labor, Ray Marshall, had testified in favor of the bill. However, despite mild Administration support and heavy union lobbying a majority in Congress responded to the public will and rejected this unwise legislation.

I believe the defeat of this bill is a clear victory for the American worker and consumer. It was a victory against compulsory unionism and runaway inflation in the construction industry. But most of all, it was a ringing defeat for the majority leadership in Congress, which had tried once again, as in the case of the Congressional pay increase, to ignore the will of the American people.

Last Wednesday night, the House of Representatives restored a lot of peoples' confidence in representative government.

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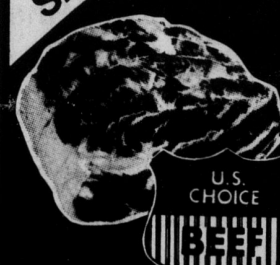
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