

Mr. ADAMS. Mr. Secretary, it is true, is it not, that approximately 70 percent or a great portion of the railroad industry at the present time is under a type of compulsory arbitration in their grievance machinery?

Secretary WIRTZ. In the grievance machinery?

Mr. ADAMS. In the area of their labor negotiations, grievance machinery and so on, with the exception of these limited areas, it is under compulsory arbitration now?

Mr. O'NEILL. There is a vast distinction between negotiations and grievances. It is true that under section 3 of the act the parties must go to a tribunal to get interpretations of existing agreements. But when they come in for a change in an agreement, or a new agreement, there is nothing compulsory under the Railway Labor Act.

Secretary WIRTZ. The answer is, "Yes." It is not 70 percent. It is the whole of the industry.

Mr. ADAMS. I meant all of the industry. I am talking about the total number of labor-management disputes now. Basically, under the agreements, it is settled by compulsory arbitration.

Mr. O'NEILL. Grievances are handled by a tribunal. The Supreme Court has said that is the way they must be handled. But that is only after you have an agreement.

Secretary WIRTZ. Furthermore, almost 100 percent of industry, all of industry, has voluntary arbitration of grievances.

Mr. ADAMS. That is very different.

What you are proposing in Resolution 559 is that, in fact, by establishing this kind of a pattern, where the parties know when they start to bargain—I will ask you this, Mr. Secretary—is it not true that every time we establish a precedent here of this nature, it affects the bargaining process?

Secretary WIRTZ. Yes.

Mr. ADAMS. The parties know, then, that if they come here there will be a final result of "We will settle it."

Secretary WIRTZ. It does have an effect on the future. There is no question about that.

Mr. ADAMS. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Brown.

Mr. BROWN. Mr. Secretary, I must apologize to you and the chairman for being a little tardy. I understand a question similar to the first question I would like to ask has already been asked. I beg your patience with it.

As I understood when you were here Tuesday, you said after June 19 the President has no power to resolve this dispute or to put off an impending strike.

Does he have such powers prior to June 19?

Secretary WIRTZ. Yes. There would be a prohibition by operation of the resolution on any strike up to June 19. That was the effect of the extension order, the second extension order, adopted by the Congress.

It would not be a power in the President. It would be an extension of section 10 of the Railway Labor Act, the extension of the status quo order.

Mr. BROWN. But nothing beyond that?

Secretary WIRTZ. That is correct.