

I think the difficulty is the one pointed out in your statement, that it is almost impossible to pull out one particular negotiation from a long, continuing chain of negotiations which affect not only the unions that are parties to this one, but other unions, and the interrelations between unions and carriers as well, and say that this is going to be decided in a special fashion by a special board.

It is very hard to get into just a little bit of compulsory arbitration or mediation to finality, if you like that better.

Mr. HARVEY. I really have no choice on the words. The administration came up here and used those words.

Mr. HARRIS. For example, going back not to the Panel but to the Emergency Board, it recommended a job evaluation program. As I understand it, neither the unions involved nor the carriers think that is practicable.

But if it were, it wouldn't be something that could possibly be put into effect or supervised, or imposed, by a Government board or panel. That kind of program takes years to work out and requires continuing adjustments thereafter. It just doesn't lend itself to this sort of process.

Mr. HARVEY. I asked the question because I agree to a considerable extent with what Mr. Devine said earlier, that it is hard to tell at this point what Congress should do, whether they should adopt 559.

In my mind is also the question of should it include some provision for resolving continuing disputes. Do I gather you feel it should or should not? Which would you say? You have made it clear that you don't like the resolution. We are aware of that.

You have made clear the problem of pulling out one individual dispute and trying to settle that. But, nevertheless, the committee will be faced with the necessity of making a decision.

Mr. HARRIS. Even assuming this resolution would be adopted, I think I would prefer to see future disputes as to the interpretation or application of the award resolved under the normal procedures of the Railway Labor Act rather than any special provision that the Board hand down interpretations which are then reviewable in the courts.

I think that has worked very badly under the 1963 act.

Mr. HARVEY. Thank you.

Thank you very much, Mr. Chairman.

Mr. MOSS (presiding). Mr. SPRINGER.

Mr. SPRINGER. This probably should be directed at Mr. Harris. I think when the committee takes up this resolution for consideration, this point will be very important.

Would you turn to page 4, section 4? Go to line 10, after the comma, "and shall incorporate the proposal of the special mediation panel with such modifications, if any, that the Board finds to be necessary, (1), to be in the public interest; (2), to achieve a fair and equitable extension of collective bargaining; (3), to protect the collective bargaining process; (4), fulfill the purposes of the Railway Labor Act."

I have never seen that in legislation pending here, although we have had it several times. Can you give me an idea of what you think would be included in those four provisions?