At this point, I want to express my appreciation to the committee for permitting me to appear. I hope my presentation will be helpful to you in solving the difficult problem before you.

I now address myself to the provisions of the joint resolution stemming from the President's message to Congress, dated May 4, 1967. Speaking both as an individual and as the chief executive of the Brotherhood of Locomotive Firemen and Enginemen, I am opposed to House Joint Resolution 559 for these reasons:

1. The settlement process contained in the resolution is compulsory arbitration, although thinly disguised.
2. The legislative solution takes from employees their right to strike but does not impose any meaningful counterrestraint on the carriers involved.
3. It is another step toward the introduction of forced arbitration in the Railway Labor Act—long a goal of railroad management.
4. There is nothing in the resolution that prevents the railroads from continuing the forced settlement beyond the expiration date.
5. While the specific language is missing in the resolution, the pattern is clear—Congress is prohibiting national strikes over wages in the railroad industry.
6. From bitter, personal experience, railway managements do not have the humanity, compassion, or ability to be fair in a situation where employees are compelled to work for them by the Government.
7. Also, from personal experience, compulsory arbitration does not solve the problem; it only postpones it, and escalates the original dispute to a point that almost defies solution.

II. BRIEF HISTORY OF 1963 MANNING DISPUTE, PUBLIC LAW 88–108 AND ARBITRATION BOARD 282

I want to make it clear at the outset that my purpose before you is not to argue the case for employment of diesel locomotive helpers (firemen). We have been pursuing that dispute before the courts, and hopefully soon in collective bargaining, if we can ever get the railroads back to the bargaining table.

My discussion of the fireman's case and the treatment of this craft of employees under the 1963 arbitration law and award is to illustrate for you—as graphically and realistically as possible—the pitfalls of compulsion in labor relations.

I will try to keep my remarks as relevant as possible, but it will be necessary at times to deal specifically with the 1963 dispute, so that you can understand the inherent danger of placing the legislative force of Congress behind a still undetermined solution and subsequent rulings by an arbitration panel and the courts.

Here is a brief chronicle of events concerning the railroad manning dispute.

In November 1959, almost a decade after the National Diesel Agreement was signed, the railroads served notice pursuant to section 6 of the Railway Labor Act to eliminate the requirement that firemen be employed in freight or yard service, and to establish a rule which in