

Mr. THOMPSON. Of course, in the administration of the law there are considerations, for instance, for the building trades which involve seasonable employment.

Dr. HAUGHTON. That is right.

Another one that comes to mind is an election involving longshore workers in Toledo, with all the intermittency there.

Mr. THOMPSON. Mr. Scheuer, our colleague, has a bill on which we had hearings in the last Congress to extend these types of exemptions to the performing arts, where people work for short periods of time.

Dr. HAUGHTON. Congressman, another piece of legislation that I have been most interested in, in terms of administration, and have done a good deal of consulting work in for the Government is the equal employment law. There must be some considerations there in terms of exemptions.

What was the first year? I think you had to have a hundred people before you were subject to it the first year. It went down, and it is now down to 25 or 50.

My first Government work was in unemployment insurance. The original law exempted only employers of eight or less. Now, with long experience, I think, most State laws are down to the coverage of employers of one or more.

So, my answer is that I think the NLRB has within its power to create gray areas or no man's land. It can say, "We will apply this as long as it is a nondiscriminatory and legitimate approach. It can use a number of people, size of land, or whatever set of criteria, whereby the "mom-and-pop farm," if we can coin a phrase, would be exempted.

And this has a very practical point. They would be so swamped if they had to conduct an election at every little farm that had one hired man for 7 weeks that the real thrust of this proposed legislation would be vitiated.

Does that respond to your question?

Mr. THOMPSON. Yes; I quite agree.

Mr. O'Hara?

Mr. O'HARA. Dr. Haughton, I would like to cover first things first.

I have read in the newspapers that the United Auto Workers are assisting the Farm Workers Organizing Committee. I am going to suggest that the Farm Workers earmark part of their assistance for the purchase of a certain Detroit product.

With respect to the jurisdictional question, our next witness will be representing the NLRB and I hope to explore this problem with them.

Dr. HAUGHTON. I am out of my field. I just gave a sort of political answer. They know the answer.

Mr. O'HARA. You are entirely correct, both in political and administrative terms.

You are also correct, I think, with respect to another approach to the jurisdictional problem. As a practical matter it just is not worth while to devote organizing efforts to very small operations. As you well know, in industry, labor organizations have adopted their own criteria. They, for instance, don't bother spending time and effort in organizing drives at concerns which employ less than a certain number of people.