

for other industries may be successfully transmuted to agricultural labor to solve such problems varies.

Let us try to anticipate some of the problems that might arise and see if existing policies or principles apply or whether new solutions need to be found by the Board or be provided by legislation.

JURISDICTION

Although the Board's statutory jurisdiction extends to all employers whose operations affect commerce, the Board has, with congressional approval, limited the exercise of its power to those enterprises whose effect on commerce is substantial.

It has done this by setting up monetary jurisdictional standards for different kinds of enterprises stated in terms of total dollar volume business.

Since 1958, the standard for retail enterprises has been that the Board will assert jurisdiction over all nonretail operations which have an outflow or inflow across State lines at least \$50,000 a year, whether such outflow or inflow be direct or indirect.

This is the standard applied to the packing, canning, and food-processing industries as well as to all manufacture.

In the event agricultural employees were brought under the act, the Board would very likely adopt some similar jurisdictional test for this industry if Congress itself had made no provision in the legislation for a standard.

The standard would be set only after full inquiry into the pertinent facts, special needs and problems of agricultural. Most probably the Board would hold oral argument on the question to which interested unions, employer organizations, and associations, in addition to the parties, would be invited to participate.

The administration of the unfair labor practice provisions of the act do not appear to involve any particular problems which the agency has not already experienced where employment is seasonal and the employees migratory.

Specifically, the problem here is the additional time it takes to run down witnesses or to keep up with them incident to the investigation of charges.

Under section 9(b) of the act, the basic unit is the single-employer unit. Under current law, the Board will not establish multiemployer units unless it finds that the employers have voluntarily formed an association for the purpose of collective bargaining and the union has agreed to bargain on that basis.

These requirements of consent of the parties for purposes of establishing multiemployer bargaining units apply equally to seasonal industry. For example, if in a given area a number of growers employing their workers from a common labor pool insisted on single-employer units but the union wanted a multiemployer unit, under present law single units would be found appropriate and elections held accordingly. Were the positions reversed the results would be the same.

Consent is the key to the continuance of multiemployer units as well as to their creation. Where an associationwide unit has been voluntarily established, an employer member may, with due notice at an