

Now you must understand that this was done because they included in their organization some packing shed workers. Originally the National Farm Union represented agricultural workers only and at the same time another organization, the AWOC, or the Agricultural Workers Organizing Committee, included agricultural laborers but also packing shed workers.

Then they merged into an organization known as the UFWOC, the United Farm Workers Organizing Committee, AFL-CIO, that organization included both, even though the packing shed workers were in a minority.

So that under the statute the general counsel had no alternative.

Mr. O'HARA. That confirms my analysis of how the Board arrived at the results it did. That the correct application of the law should lead to such an outrageous result is another reason for this committee doing something to change the law.

Mr. FIELDS. Yes, sir. I would like, if I may, to give the reporter citations to the cases I mentioned.

Mr. O'HARA. I ask unanimous consent that he be permitted to do so.

Mr. THOMPSON. Without objection.

(The citations referred to follow:)

*DiGiorgio Fruit Corp.* 28 LRRM 2195 89 U.S. APP. DC 155 29 LRRM 2022. Certiorari denied.

*Masters, Mates and Pilots v. NLRB* (Chicago Calumet Stevedoring Company, 59 LRRM 2566).

*Electrical Workers Union* (B. B. McCormick & Sons, 59 LRRM 276).

Mr. O'HARA. Mr. Fields, there are two other particular points in your testimony which I would like to ask about.

First, jurisdictional standards. There has been some hint that we might want to adopt jurisdictional standards in any legislation we agree to with respect to agricultural employees. I would like to make it clear that I am not in favor of doing so. A very good case can be made, in terms of consistency and flexibility, that we leave such standards to the discretion of the Board.

Am I not correct in saying that if legislative jurisdictional standards were adopted for agricultural workers, they would be the only set of jurisdictional standards in the National Labor Relations Act?

Mr. FIELDS. That is right.

Mr. O'HARA. You have a very sensitive and complex set of administrative jurisdictional standards, which while I don't agree with them, are geared to the specific requirements of particular industries.

Mr. FIELDS. They are contained in a footnote in my full statement, as you know.

Mr. O'HARA. Yes. You suggest that standards be adopted after a hearing and a thorough discussion of the requirements of this particular industry. That makes a lot of sense.

Mr. THOMPSON. If the gentleman will yield at that point, I agree with his statement. I have read the cases under which the administrative rulings were made. I gather that the thrust of this colloquy is that the Board in exercising its administrative responsibility would exclude the small farmer, not only in light of the history of this experience but in light of the application of the one criteria which is absolutely necessary under the NLRA; namely, are they in interstate commerce.