

stand it, Professor Haughton said that one of the beauties of the DiGiorgio contract was that it was strictly voluntary.

Mr. THOMPSON. You realize that if farm workers were under NLRA that pulling and tugging between labor unions would be an unfair labor practice?

Mr. O'CONNELL. But in the meantime the farmer would suffer adversely.

Mr. O'HARA. That is part of the problem, and I would agree with you on that point. But I would further observe, as Mr. Thompson has, that this problem has occurred outside of the NLRA and if anything, the application of the NLRA to the industry would result in a lessening of that problem.

Mr. O'CONNELL. Unless I am not reading things correctly, the jurisdictional problem is growing significantly among unions.

Mr. O'HARA. There is no protection now against that. If the Labor-Management Relations Act were to be applied to agriculture, the grower would have some protections against that sort of thing.

The act provides that once a particular union has been certified as the collective bargaining agent for a particular group of workers, competing unions are placed under certain restrictions with respect to their own actions.

Mr. O'CONNELL. For a period of about 1 year, I believe, but there is nothing stopping them from contacting the workers in that year.

Mr. O'HARA. No, no. There are several restrictions. First, if there is an existing contract arrived at under the certification procedure, the competing union cannot picket for the purpose of organizing those same workers.

Secondly, if there has been an unsuccessful effort to obtain NLRB certification, for 12 months thereafter the union would be prohibited from using organizational picketing.

That is my understanding without checking back on the law. Consequently, the grower has more protection with NLRA coverage than he does without it. I concede that jurisdictional disputes are a problem, but I say the problem is not worsened by the adoption of this legislation.

It would be somewhat improved from the growers' standpoint.

Mr. Chairman, I don't want to keep Mr. O'Connell. He has been sitting here with us all morning and I don't think we ought to pester him.

I just think that there is a simple difference of opinion.

Mr. THOMPSON. I promise not to pester him. I just have a few questions.

I don't understand on page 1 of your statement, where you say:

We further understand that if this measure is enacted into law that a farmer may be forced to bargain with a labor organization whether or not the status of the labor organization has been determined by the wishes of the majority of his employees.

What do you mean by that?

Mr. O'CONNELL. As I interpret your bill, Mr. Chairman——

Mr. THOMPSON. It is Mr. O'Hara's bill.

Mr. O'CONNELL. Excuse me—Mr. O'Hara's bill—the pressure could be placed on the farmer by union representatives and if the farmer as a single employer was not able to withstand that pressure then he