

sidered necessary to maintain the number of available jobs.⁸ The arbitration award in the 1963 railway dispute rendered under a federal statute providing for compulsory arbitration limited to the specific dispute⁹ provided for elimination of some railway jobs but protection of jobs of existing employees. The additional positions when vacant were, in general, simply not to be filled. Such an approach could be considered because railroads are strongly stable institutions with identifiable employees who have built up seniority with particular carriers.

Present Methods Lacking

The vital and legitimate interest of building trades employees and their unions in job protection is of inescapable importance in considering how to promote high quality low-rent housing. But the consequences of our present methods of promoting job security in the building industry have serious implications which are likely to endanger constructive progress in housing and perhaps in the end to endanger job security itself. By preventing the use of labor-saving technology, present methods raise building costs. This tends to make it impossible to build decent housing at low or even moderate rents. Hence the rebuilding of dilapidated areas of our cities becomes most difficult unless the rebuilt housing is to be inaccessible to former residents of the area because of its high cost. The result is either that new housing for such areas is built at minimum rock-

bottom cost and is deemed undesirable, giving a bad name to housing programs, or that former residents must be ousted from their homes and crowded into worse housing, new decent housing being unavailable due to its cost as well as to racial discrimination where the residents are members of minority groups.¹⁰

The wider ramifications of the blockage of new decent housing at low rents are plain. Former residents of rebuilt areas, often confined within a ghetto by discriminatory realty markets, must take the best housing offered. As soon as an area becomes integrated and open to minority occupancy, the pressure of desperate need for decent housing tends to bring about its resegregation as part of the ghetto—because of the shortage of new housing at rents within the residents' reach, among other reasons. Fear of incorporation into the ghetto causes residents outside the ghetto to strengthen their resistance to integration. This confines the market available to residents in the ghetto and increases the pressure upon them to move into any opening in previously unavailable housing which may become available.

Thus the vicious circle continues and expands. Fear and bitterness by outside residents who do not want to be incorporated into ghettos communicates itself. An entire climate of despair, frustration and anger is developed in what become opposing parts of a city. Crime, violence and riots born in part of frustration based upon attitudes on both sides and upon

⁸ See, for example, Backman, "Cushioning the Impact of Technological Change," 13 LABOR LAW JOURNAL 731, Sept. 1962; Gomberg, "The Work Rules and Work Practices Problem," 12 LABOR LAW JOURNAL 643, July 1961; Fanning, "The Challenge of Automation in the Light of the Natural Law," 11 LABOR LAW JOURNAL 875, Oct. 1960; Hummers, "Protection of Employees Af-

ected by Railroad Consolidations," 15 LABOR LAW JOURNAL 736, Nov. 1964.

⁹ 77 Stat. 132 (1963), upheld in *BLFE v. Chicago, Burlington & Quincy R. R. Co.*, 225 F. Supp. 11, 48 LC ¶ 18,680 (DC D. of C. 1964), aff'd 331 F. 2d 1020, 49 LC ¶ 18,765, cert. denied, 377 U. S. 918, 49 LC ¶ 18,915 (1964).

¹⁰ See Weaver, *The Urban Complex*, ch. II, III, VI, Anchor ed., 1966.