

bitterness over conditions including housing intensify this unhealthy atmosphere.

Resistance to "urban renewal" which injures rather than helps residents of the areas to be renewed may well lead to loss of jobs in the construction industry. Job security may suffer in other ways also. Objection to the consequences of the measures now used to protect jobs may result in assaults upon these methods which could be successful in eliminating them without anything else being put in their place. The fact that four Justices voted to hold agreements not to use prefabricated materials illegal under present law¹¹ is an indication of this. (In Congressional debates on present provisions, Senator John F. Kennedy had said that exemptions from certain "hot cargo" provisions for the construction industry did not exempt "boycotts of goods manufactured in an industrial plant for installation at the job site."¹²)

The dilemma is therefore clear. For highly specific reasons as well as for reasons applicable to other industries as well, means to assure job security are vital in the building industry. At the same time, present methods of doing this have consequences which will become more and more difficult to tolerate.

Comparison with Other Fields

A comparison to what is done in other fields may be helpful. A wide range of measures ranging from supplemental unemployment benefits¹³

to retraining allowances¹⁴ have been established in various industries, but these are merely palliatives. No union leader could accept such measures as a substitute for existing work restrictions and retain the support of the rank and file. In any event, we need more rather than less work in the building industry if the cost can be lowered to the residents of the housing to be built. This would mean more jobs and more job security, not less.

How can this potential be unlocked? One answer lies in the expectation that lower costs would widen the market, as they did for automobiles in the 1920s.¹⁵ But again this offers no assurance to a particular employee or group of employees that they will be protected. Alone it cannot be a sufficient answer.

Executives are employed for an annual salary, often under a contract which guarantees them payment over a period of more than one year. If a building industry employee were offered a contract guaranteeing him payment of wages over a three-year period at an annual rate greater than the take-home pay he previously received during a similar period, he would gain financially and also obtain far greater job security than before. Such a transition to annual rather than hourly payment would also benefit the public through lower building costs, since the public now pays higher hourly wages than in other industries partly to compensate the employee for periods when he

many other kinds of vocational education services have been established over a period of time, but none of these can replace the loss of a skilled job, especially by an older employee.

¹⁵ See Adams, "The Automobile—A Luxury Becomes a Necessity," *Hamilton, Price and Price Policies* 27-82 (1938).

¹¹ See footnote 1.

¹² 105 *Congressional Record* 17900, 2 *Legislative History of the Labor-Management Reporting and Disclosure Act* 1433 (1959); see also H. Rept. 1147, 86th Cong., 1st Sess. 39, 2 *Leg. Hist.* 943.

¹³ See Note, 1962 *Duke Law Journal* 605 (1962).

¹⁴ In addition to retraining programs under the Economic Opportunity Program,