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## **LABOR RELATIONS BOARDS**

# LABOR RELATIONS BOARDS

The Regulation of Collective Bargaining under the  
National Industrial Recovery Act

BY

LEWIS L. LORWIN

AND

ARTHUR WUBNIG

*Supplied by-*

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## DIRECTOR'S PREFACE

This is the sixth of a series of studies dealing with the NRA undertaken by the Institute of Economics under the immediate direction of Leverett S. Lyon. The study is an analysis of the effects which Section 7(a) of the National Recovery Act had on the development of the theory of collective bargaining in the United States, and of the growth of administrative institutions aiming to put the statutory requirements into operation. In order to give a comprehensive account of the development, it is necessary to include labor boards, some of which (in fact, the most important) lay outside the NRA.

A large number of the many new developments in the sphere of industrial relations in this country since the summer of 1933 trace back to Section 7(a) of the Recovery Act. By affirming the right of the workers to organize and to bargain collectively, that provision of the act stimulated among trade unions a concerted organizational drive which called forth counter-movements on the part of employers. Those who drafted the act may have supposed that Section 7(a) spoke for itself and that its intent was clear. But it soon became evident that the language of the statute was not at all clear and that its meaning had to be elucidated in the midst of the intense controversy which it aroused. This task of elucidation was undertaken at first by the NRA, but it soon fell almost entirely to a series of general and special labor boards, established in part under the NRA, in part independently of that body.

Between August 1933 and May 1935, the various Recovery Act labor relations boards tried to put specific content into the term "collective bargaining" as em-

bodied in Section 7(a) of the NIRA. Although operating independently, most of these boards reached similar conclusions and developed a more or less homogeneous mass of rules and practices which may be regarded as the body of a "common law" of collective bargaining. Despite some precedents, these developments represented a new departure in federal policy on labor relations. They indicate the direction in which labor relations seem likely to develop under the supervision and with the aid of the federal government.

The present study is concerned with these new developments. The authors have attempted to describe the principles and practices which the several labor boards evolved, and to explain the conditioning factors underlying the interpretation of Section 7(a) by these boards. The Labor Relations Act of 1935 was largely based upon the experience of the boards and projects a particular formulation of their working rules into the law of the land. The act was passed while this study was in press, and no attempt has been made to forecast its administrative or legal interpretation.

In the preparation of this study the authors have been generously aided by the members and staffs of the various labor boards. They have had ample opportunities for observing the boards in session, for interviewing members, and for examining documents. For this aid they wish to express their deepest appreciation.

Paul T. Homan and Charles O. Hardy have acted with Mr. Lyon as an advisory committee on the study.

EDWIN G. NOURSE  
*Director*

Institute of Economics  
July 1935



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