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Book Reviews

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THE NATIONAL LABOR RELATIONS ACT AND MANAGEMENT'S OBJECTIVES IN COLLECTIVE BARGAINING. By Benjamin Werne. New York: Practicing Law Institute, 1951. Pp. 152. \$2.00.

This monograph written by Mr. Werne for the Practicing Law Institute, is frankly presented as something of a guide to the small employer in the conduct of his labor relations. The protection of management interests on behalf of those whose experience may not provide the background for their own protection appears to be the justification for this publication.

The material is divided into two major parts. The first is under the heading of "The National Labor Relations Act," while the latter deals with "Management's Objectives In Collective Bargaining."

That part dealing directly with the National Labor Relations Act and covering the Taft-Hartley Act as well as the Wagner Act, discusses in brief and somewhat elementary fashion the whole scope of the National Labor Relations Board's power and procedure in both representation proceedings and unfair labor practice proceedings. Likewise there is included some discussion of the major provisions of the National Labor Relations Act as amended by the Labor Management Relations Act, especially dealing with the rights of management, unions and employees under the statute, the secondary boycott, jurisdictional disputes, union security and responsibility, and the enforcement of collective labor agreements through the instrumentality of the National Labor Relations Board, the courts and the process of arbitration.

It must be observed, however, that the discussion of the various points is brief, elementary and somewhat superficial. It may be useful for its primary purpose, to guide the small employer, but it is certainly of no great use to the serious student of labor relations. The author does cite numerous cases, decided by the National Labor Relations Board and by the federal courts, which have interpreted the statutes. These probably constitute the chief element of value in this first part.

The scope allowed to state laws alongside the federal legislation is briefly referred to in this first part also, and a very elementary and superficial discussion of wage and salary stabilization is included.

The second part of the booklet dealing with "Management's Objectives in Collective Bargaining" is somewhat more useful. The preliminary warnings with respect to the necessity of practically continuous preparation for the collective bargaining negotiations serve a highly useful purpose. All too frequently both sides neglect the serious preparation which is essential to the effective bargaining process. Time spent by employer or union in becoming thoroughly familiar with all problems involved and the way in which the existing contract operates in preparation for understanding and effectively meeting demands of the opposite party is always time well spent. Tailoring the contract to the particular needs of a plant and its

employees is likely to be important. The author's statement that "bargaining works—when those on both sides of the table work at it" is very well put.

The author also quite properly emphasizes the statutory obligations of both parties to bargain and the importance of giving careful consideration to the use of clear and unambiguous language. Much of controversy and many arbitration cases can be avoided by a careful wording of the agreement.

The major portion of the second part of this monograph is devoted to a brief discussion of each of twenty-five topics for inclusion in a collective bargaining agreement, listed alphabetically from absenteeism to welfare plans, with a sample clause under each topic. These samples do not necessarily constitute proposed models, but many are taken directly from existing contracts and elaborated with suggested additional provisions designed to protect more adequately the interests of management in its various relations with the union and its employees.

This latter material is rather heavily annotated with citations of Board decisions and arbitration reports which add much to its value.

The second part of the Monograph is calculated to be of considerable value to the employer who is relatively inexperienced in the conduct of collective bargaining and who does not maintain on the management staff a competent industrial relations director.

While this material may also be of some value and interest to the representatives of labor in conducting collective bargaining relations, its principal value is to the employer for the protection of whose interests primarily it was formulated, and many of the sample clauses would not satisfy the most common demands or protect the interests of labor.

The larger employers who maintain a competent staff trained in the conduct of collective bargaining and the handling of labor relations would find this booklet of very little value. It is a guide for the amateur, not for the expert.

ROBERT L. HOWARD*

GAMBLING—SHOULD IT BE LEGALIZED. By Virgil W. Peterson. Springfield, Illinois: Charles C. Thomas, Publishers, 1951. Pp. 158. \$2.75

Virgil W. Peterson, director of the Chicago Crime Commission, is an adamant foe of gambling whether legal or illegal. He bases his position not on the moral issue of whether gambling is right or wrong, but rather on the practical basis that the licensing of gambling establishments by the state inevitably raises more problems than it solves. An increase in persons on public relief rolls, prostitution and organized crime are concomitants of any scheme for legalized gambling, according to Mr. Peterson.

It is pointed out that Nevada, the only state which has legalized gambling, in 1948 received only six and one half per cent of its total state revenues from the licensed gambling establishments. On the other hand, during 1947, when revenue obtained from legalized gambling amounted to a mere three and nine-tenths per cent

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of the total state income, twenty-nine per cent of Nevada's total state revenue was obtained in the form of aid from the federal government. The professional gamblers reap a huge profit annually in Nevada, but the State, because of a high relief percentage from "gamblers" who went broke and the higher cost of municipal government because of wide-open gambling, comes out second best.

Mr. Peterson draws many other illustrations and analogies designed to demonstrate the inadvisability of legalizing gambling. He gives a brief background of the gambling business in the United States and then delves more deeply into the problem as it affects Chicago. The point is brought out very nicely that there is a reason behind anti-gambling laws. Legalized gambling has been tried by various states on different occasions, and every time the result has been a general let down in law enforcement and a resultant moral decay among the people of the state.

The book itself seems to be aimed at the lay reader, for the gambling history and background to which most of the book is devoted would be familiar to one acquainted with the situation. For a brief summary of the pros and cons of legalized gambling, however, the book is recommended.

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