

Comment négocier ?

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However, it is clearly stipulated in Title II, section 206, that « Whenever in the opinion of the President of the U. S., a threatened or actual strike or lock-out affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and to make a written report to him within such time as he shall prescribe. » Upon receipt of the report, the President may direct the Attorney General to have a federal district court injunction brief issued against the supporters of the strike or lock-out. If the brief is granted, the parties must endeavour to settle the dispute with the co-operation of the Federal Conciliation Service; sixty days after the injunction brief has been issued the President will reconvoke the board of inquiry which will hand in a report on its findings as to the facts and respective positions of the parties after conciliation and mediation. The report handed in shall be made public. Within the following fifteen days, the National Labor Relations Board will have the employees of each employer take a secret vote in order to allow them to accept or refuse the final settlement offer made by each of their respective employers. Within five days after the voting the Labor Relations Board will submit the results of the ballot to the Attorney General. Subsequently, the Attorney General will have the injunction withdrawn. Then the President will report to Congress on the whole question and make the recommendations deemed advisable.

As mentioned above, the only restriction on the right to strike must be motivated by national urgency. Besides, section 201 specifies that the American policy consists of the conciliation of all labour disputes by means of conferences and collective bargaining; such a policy puts at the disposal of the parties a conciliation service intended to help them prevent clashes of rights and interests and to invite them to insert in their labour contracts provisions respecting notices of termination, notices of amendment and the settlement of grievances. Conciliation, mediation and voluntary arbitration are recommended. However, the Taft-Hartley Act makes no mention of, nor allusion to, compulsory arbitration with enforceable awards as carried out in this Province under the Public Services Employees Disputes Act.

We have thus summed up the main restrictions imposed in American trade-unionism by the

Taft-Hartley Act. Nothing in the latter falls short of the principles it should embody. However, is this legislation timely in the U. S.? We shall not try to answer this question right now. We must first witness the application of the Act.

In an Associated Press dispatch from Washington, published as a Labour Day message from the Department of Social Action of the National Catholic Welfare Conference reflecting the Department's opinion of this new legislation, the N.C.W.C. expresses the hope that Labour will voluntarily correct the specific abuses that the Act first intended to eliminate and urges Capital and Labour to meet together in a sincere effort to rectify the consequences of the enforcement of the unsatisfactory provisions of the Act.

COMMENT NÉGOCIER ?

« En ces jours de conseils et de conférences, chaque homme d'affaires important devrait apprendre l'art de la négociation. En ce moment, des dizaines de problèmes pourraient être résolus s'il existait seulement un homme capable de négocier.

De quelle utilité sont les conférences qui ne peuvent aboutir à des décisions ?

La première chose à faire à une conférence est d'en extraire l'hostilité, d'écartier la suspicion et la tension. On ne peut négocier avec les poings.

Un négociateur capable est un homme amical et raisonnable, qui a le sens de l'humour. Le meilleur moyen, pour commencer une conférence, est d'émettre une plaisanterie.

Il est toujours sage, aussi, de commencer en établissant un accord sur une petite question. Ne dite jamais « non » à propos de tout. Commencez par un « oui ». Ne soyez pas obstiné sur les questions vitales.

Accordez une attention spéciale à l'homme qu'il est le plus difficile de convaincre. Un homme entêté peut faire échouer une conférence.

« Ceux qui désirent réussir comme négociateurs doivent avoir certaines qualités de coeur et d'esprit. C'est la personnalité qui gagne. Il faut de la ténacité sans combativité. »

Professions