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WATERFRONT COMMISSION OF NEW YORK HARBOR



ANNUAL REPORT 1964-1965



**ANNUAL REPORT OF
THE WATERFRONT COMMISSION
OF NEW YORK HARBOR**

for the year ending June 30, 1965

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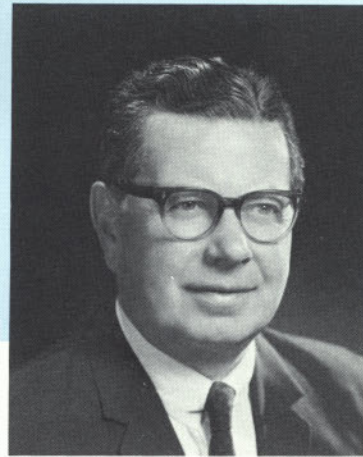
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CREDITS: Pen and ink sketch, page 4, Greater Newark Chamber of Commerce.
Photos, pages 2, 5, 6, 9, 22, Port of New York Authority.

*To the Honorable Nelson A. Rockefeller, Governor,
and the Legislature of the State of New York*

*To the Honorable Richard J. Hughes, Governor,
and the Legislature of the State of New Jersey*





The Waterfront Commission of New York Harbor is pleased to report continued progress in the improvement of waterfront conditions in the Port of New York during the fiscal year 1964-1965.

This year has seen a rise in the average annual income for waterfront workers, an increase in job opportunities, a work force kept in balance with the manpower needs of the port, an improvement in cargo security, vast modernization of hiring facilities for waterfront workers and the continued curtailment of criminal activities. All of these attainments have taken place in an atmosphere of relative tranquillity on the waterfront. The outbreaks of violence commonly associated with the Port of New York in the not so distant past are no longer in evidence.

The economic strength of the vast port continues to demonstrate its vitality in an impressive manner. This seaport's ocean-borne foreign trade in 1964 rose almost four percent to 45.6 million tons, approximately 14 percent of the entire foreign trade of the United States. General cargo in the foreign ocean-borne category moved upwards 2.5 percent from 1963, reaching a level of 13.8 million tons. A value of almost \$11-billion was placed on the ocean-borne cargoes which moved through the port last year.

The well-being of the port is directly reflected in the employment of its longshore work force. Daily job calls for waterfront workers in 1964 totaled almost 4.7

million, approximately four percent greater than reported in 1963.

The average annual wages for longshoremen and checkers in this port for the industry's fiscal year ending September 30, 1964 climbed to \$6,165, from \$5,236, more than \$900 over that reported for fiscal 1963, despite a drop in overtime pay. This compared favorably with the national average wage for American production workers of \$5,350 in 1964*. The contrast becomes meaningful since the average annual wage for longshore workers in this port in 1954 was \$2,468,** as compared with the then national average wage for production workers of \$3,600 a year.

Over 10,000 longshoremen and checkers, or approximately forty percent of the port's work force, earned in excess of \$7,000 in this past fiscal year as compared with 7,380 workers who earned these wages the previous year. Moreover, some 450 men earned in excess of \$10,000 annually in the past fiscal year.

Undoubtedly some of this increase is attributable to the ten cents an hour increase realized through a new collective bargaining agreement effective in this port. At best, however, such increment in hourly wages would account for less than \$200 of the \$900 increase in annual average wages. In major part, this rise can be

*Data from U.S. Department of Labor

**Earnings of longshore workers are based on data supplied by the New York Shipping Association and do not include fringe benefits.

attributed to the continuing efforts of the Commission through its reduction of the labor force so that it is in balance with the manpower requirements of the port.

Pier guards, whose annual wages averaged about \$2,000 some eleven years ago and more than \$4,000 during fiscal 1963-1964, continued to increase their annual income to over \$4,600 this past year.

The Commission continues its drive to eliminate from the eligible work register those who engage in larcenies from piers, loansharking, bookmaking, policy, subversion, acts of violence and other criminal activity. In addition, under its authority to investigate waterfront conditions generally, the Commission is continuing its efforts to expose and correct corrupt waterfront practices engaged in by stevedores, shipping companies, union officials and other persons doing business in the port.

During the past fiscal year the Commission has relocated and modernized some of its employment centers; two have been relocated, one in Manhattan, the other in Brooklyn. A third center in Manhattan has been completely renovated. Presently the Commission is engaged in constructing a new center in Brooklyn and modernizing, as well as enlarging, its Port Newark facility.

In the past year the port experienced two strikes: one arising from labor contract negotiations between the International Longshoremen's Association and the New York Shipping Association; the other a seamen's strike which tied up practically all shipping by American lines in this port. Although these strikes were costly and protracted, not one case of waterfront violence was reported and the piers remained orderly.



COMPARISON OF EARNINGS OF LONGSHOREMEN AND CHECKERS

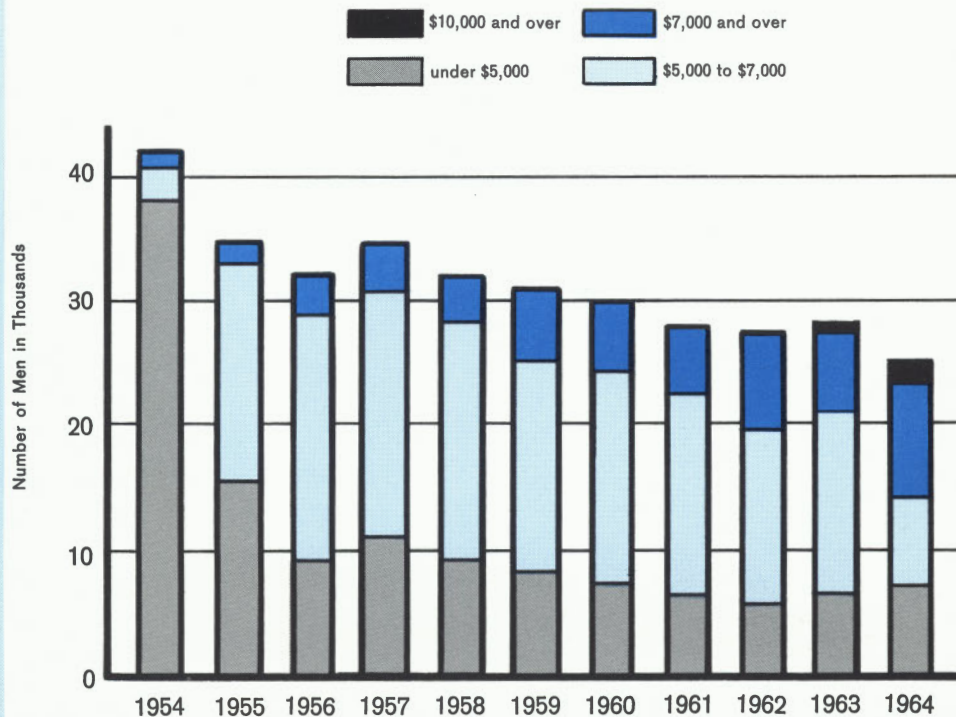
	1954	1962	1963	1964
\$7,000 and over.....	406	7,475	7,380	10,660
\$6,000 to \$7,000.....	802	4,935	5,193	4,303
\$5,000 to \$6,000.....	2,589	4,238	4,564	3,067
\$4,000 to \$5,000.....	6,330	2,856	2,807	2,101
\$3,000 to \$4,000.....	7,013	1,916	1,789	1,498
Under \$3,000.....	24,193	5,714	6,491	3,913
Total Reported.....	41,333	27,134	28,224	25,542
Total Earnings.....	\$102,061,108	\$145,533,208	\$147,887,899	\$157,455,521
Total Hours Worked.....	37,813,991	42,023,133	40,201,000	42,148,092
% Hours Overtime.....	24.3	23.4	25.6	22.7
Average Annual Wage* ...	\$2,469	\$5,364	\$5,236	\$6,165

*Does not include fringe benefits.

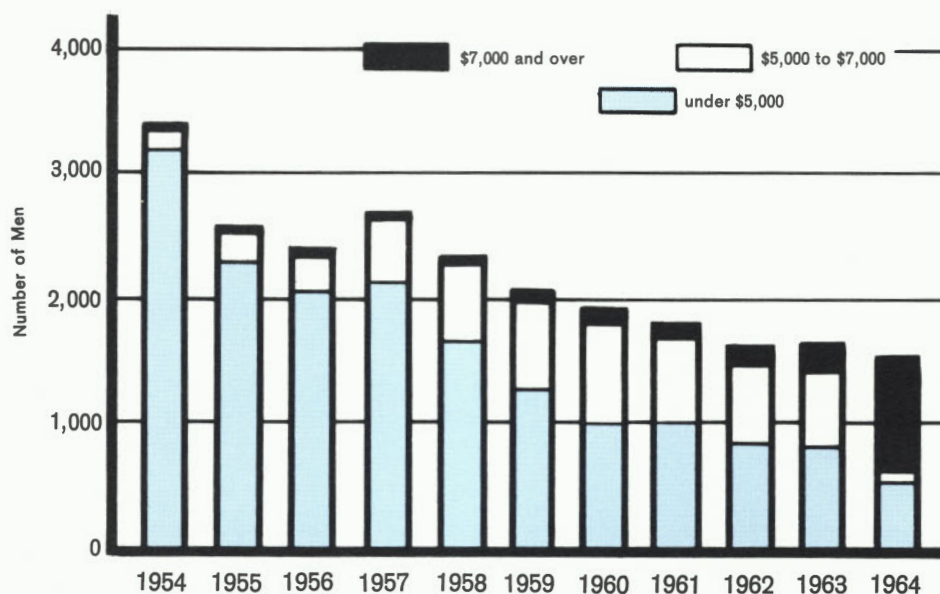
Note: This table includes craftsmen such as carpenters, coopers, maintenance men and miscellaneous personnel required to be registered as longshoremen effective May 27, 1957. Similar tables in Annual Reports prior to that of 1957-58 included earnings of longshoremen and checkers only, as reported by the New York Shipping Association whose fiscal year ends September 30.

Source: New York Shipping Association for fiscal year ending September 30, 1964.

COMPARISON OF EARNINGS OF LONGSHOREMEN AND CHECKERS



COMPARISON OF EARNINGS OF PORT WATCHMEN



COMPARISON OF EARNINGS OF PORT WATCHMEN

	1954	1962	1963 ^a	1964 ^a
\$7,000 and over.....	5	162	214	917
\$6,000 to \$7,000.....	21	360	354	—
\$5,000 to \$6,000.....	137	328	277	49
\$4,000 to \$5,000.....	735	162	151	82
\$3,000 to \$4,000.....	546	131	127	55
Under \$3,000.....	1,977	517	577	505
Total Reported.....	3,421	1,660	1,700	1,608
Total Earnings.....	\$7,707,271	\$7,250,000	\$7,300,705	\$7,440,943
Total Hours Worked.....	4,400,903	2,997,933	2,919,134	2,911,058
% Hours Overtime.....	29.14	29.8	31.3	32.9
Average Annual Wage*.....	\$2,252	\$4,367	\$4,295	\$4,627

*Does not include fringe benefits.

a) Figures include supervisory security personnel required to be licensed under Waterfront Commission regulation effective January 1, 1960.

Wages increased from \$11.18 per day in 1954 to \$16.48 per day in 1962, to \$17.08 per day in 1963 and to \$17.56 per day in 1964. This is an overall increase of 57%. The average annual wage for port watchmen as indicated above shows an increase of 105%.

Source: New York Shipping Association for fiscal year ending September 30, 1964.



PORT WATCHING UNIT

For Year Ended June 30, 1965

Application for new pier guard licenses	391
Application for renewal of licenses issued	43
Withdrawals of applications	129
Temporary licenses issued	354
Physical examinations conducted by Waterfront Commission	264
Qualifying courses offered	3
New pier guards completing qualifying courses	247
Refresher courses offered for pier guard licensees	10
Licensees completing refresher courses	1112
Total of summary hearings held	62
Referred to Division of Law for further action	8
Log books placed on piers	167

The Commission's operations for the 1964-1965 year were conducted within a budget of \$2,402,004, approved by the Governors of New York and New Jersey and based upon a 1.25 percent rate of assessment on longshore payrolls. Actual expenditures for the year ending June 30, 1965 were \$2,372,704.

Despite new mandatory fixed charges totalling approximately \$251,700, such as increased costs for social security, insurance, pensions and salary increments in accordance with the employee's grade system, the current budget in the amount of \$2,514,380 was increased by only \$112,376. Except for these mandatory fixed charges the budget would have been reduced \$139,000. This was accomplished principally by a consolidation of functions which reduced budget positions from 247 to 235. In spite of these reductions in personnel, the Commission continued its efficient and effective operations. Where experience shows that further economies may be effectuated, the Commission will adjust accordingly.

It is to be noted that in twelve years of operation by the Commission, despite constantly spiralling costs of government, its budget increased only a total of 20 percent.

On May 1, 1965 William P. Sirignano, General Counsel to the Commission, also assumed the duties of Executive Director, succeeding Howard E. Finney in that post. By joining these two offices the Commission re-instated the combined posts of Executive Director and General Counsel originally held by Judge Lawrence E. Walsh and his successor, Samuel M. Lane.

Commissioner Joseph Kaitz was reap-

pointed for a three-year term by Governor Rockefeller effective July 1, 1965. Commissioner William L. Kirchner, Jr., serves as the New Jersey member of the Waterfront Commission.

We note with regret the death during the year of Michael J. Melia, Senior Clerk.

Modernization of the Centers:

The Commission at its inception, because of a pressing time schedule, was forced to lease whatever space it could find reasonably close to the piers and available at rentals within the Commission's budget.

Employment Center No. 3, serving piers in the Chelsea area of the North River, was built over fifty years ago for stabling of dray horses. It has been remodeled, both inside and outside, and is one of the most modern and attractive waterfront structures in the neighborhood.

Employment Center No. 4/5 has been relocated at 127 Greenwich Street. This center, which serves both the lower North River and the East River, is also completely modern, including fluorescent lighting, new hiring stands, and necessary sanitary facilities.

Because of inadequate space at its prior location, Employment Center No. 8 has been re-situated in a new building at 132 Van Dyke Street, Brooklyn. This center, with modern facilities, provides services for the men in the busy Atlantic and Erie Basins, Breakwater and Gowanus areas of the Brooklyn waterfront.

It bears mention that the longshoremen appreciate the comforts and atmosphere offered by these modernized centers.

Plans by the Commission to construct, enlarge and relocate other centers during the 1966-1967 year are being completed.

Employment Center No. 7, which serves the Brooklyn Port Authority piers and provides for the hiring of casual checkers for all of Brooklyn, is overcrowded at times. During the 1965-1966 fiscal year, the Commission, in cooperation with The Port of New York Authority, will start construction of a new center for this area. Employment Center No. 6, serving the Greenpoint area, Brooklyn, may also be relocated.

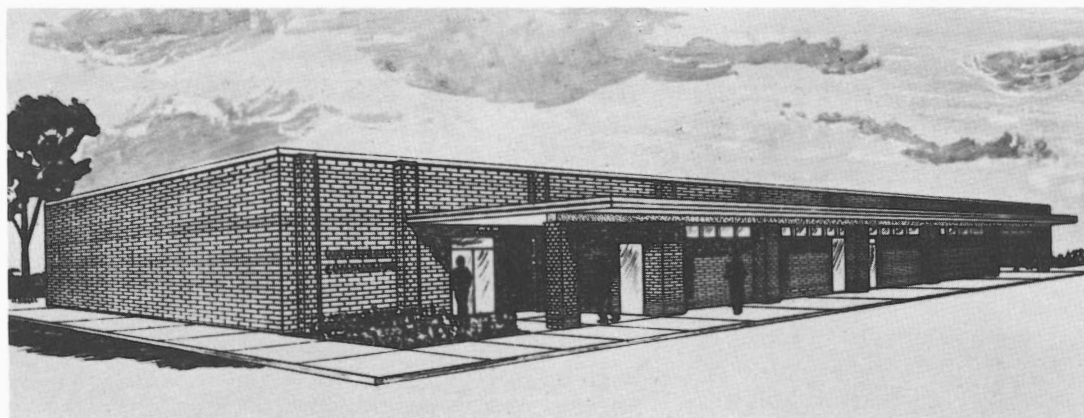
For Employment Center No. 11, which serves Port Newark and the Elizabeth-Port Authority piers, plans are being drawn, in cooperation with The Port of New York Authority, to enlarge the hiring floor area of this facility by 60 percent. This is to keep pace with physical expansion of this modern New Jersey operation and its concomitant rise in work oppor-

tunities.

The Waterfront Commission has long stressed the importance of efficient hiring facilities. Longshoremen and checkers usually start their working day at 8:00 A.M., and the hirings at the centers of replacements for the absentees cannot take place until after reporting time. Persons hired at the centers are paid from 8:00 A.M. even though they arrive for work some time later. Since longshoremen's earnings, including fringe benefits, amount to \$5.00 an hour, adequate hiring facilities close to the piers must be provided.

This Annual Report would not be complete without an expression of our appreciation for the continued cooperation received from law enforcement groups, federal, state and local governmental agencies, and community organizations that have assisted the Waterfront Commission in furtherance of its objectives.

Proposed new Employment Center No. 7 Columbia and Kane Streets, Brooklyn



THE NEW LONGSHORE CONTRACT AND COMMISSION OBSERVATIONS

The New York Shipping Association and the International Longshoremen's Association reached agreement on a new labor contract after a strike which ended February 12, 1965. This stoppage which lasted 33 days imposed severe economic hardships on the nation.

Provisions of the Contract:

The new contract provides for a guaranteed annual wage to longshoremen, commencing April 1, 1966. The guarantee will be 1600 hours pay at the prevailing hourly rate of \$3.46 per hour at the outset. Only longshoremen who worked 700 hours during the "qualifying year" (April 1, 1965 to March 31, 1966) will be eligible.

In return for the guaranteed annual wage system and other contract benefits, the employers are to be allowed to reduce the longshore gang from 20 men to 18 men, starting April 1, 1966. An additional one-man reduction to 17 men is scheduled for April 1, 1967. In addition, the ILA has agreed that the employer will have greater flexibility in the use of his employees, and may eliminate certain frozen details and longshoremen will accept work for which they are qualified anywhere in the port.

Commission Observations:

A recent statistical survey of the earnings of longshoremen indicates that the guaranteed annual wage and related contract provisions would not increase the overall cost of doing business in the Port of New York if properly administered by the contracting parties. The guaranteed wages paid to men who qualify should be offset by savings in the two-man reduction of gangs, the increase in flexibility of assignment and the elimination of frozen details.

The determining factor in the success of the new program will be the mobility of the available work force. Historically, many of the port's longshoremen seldom accept opportunities to work at other than their own local piers, and rarely outside of their own sections. Commission Regula-

tions and hiring procedures are designed to advise longshoremen of available opportunities throughout the entire port and the employers of available manpower in the port. Through these procedures, some success has been achieved in increasing the mobility of the work force.

Within the vast Port of New York there exist drastic fluctuations in manpower requirements from day to day. Some areas of the harbor teem with work opportunities on certain days of the week, while others are slack. There are days when all sections of the port are busy and all available workers are employed. These fluctuations can occur in less than 24 hours and can be attributed largely to the industry's pattern of sailings and arrivals of vessels, and the varied types of cargo which move through the port.

To centralize daily record-keeping of hirings in the Commission-operated employment centers, and to instantaneously develop information as to numbers and types of workers available for work and to facilitate the administration of the guaranteed annual wage, an electronic data processing system is being installed in the Commission's employment centers. The cost is being borne by the New York Shipping Association. Should this information-gathering network be properly utilized, it will be most effective in rapidly identifying areas of shortages and surpluses. Coupled with enforcement of the mobility and flexibility provisions of the contract, this program could make a great contribution in the deployment of longshoremen for work assignments. This would alleviate shortages of workers in some areas of the port by taking men from those sections reporting surpluses of manpower. It thus becomes apparent that successful implementation of the modern approach to quick development of employment information and its distribution will offer greater job opportunities for the waterfront workers along with increased earnings.

Operation of the electronic equipment in the centers will be supervised by Commission personnel. Representatives of the employers and the union will be accommodated in the employment centers to observe the hiring procedures.

BALANCING THE REGISTER WITH DEMANDS FOR LONGSHOREMEN'S SERVICES

The Waterfront Commission in 1954 initiated its program of removing from the Longshoremen's Register all those persons, who, without good cause, do not work or seek work for the required number of days per month as established by the Commission. These procedures continue to be very effective in controlling the size of the available work force in the Port of New York. The Commission each six months, after consultation with the industry's representatives, establishes the requirements necessary to remain on the Register. These standards are based on a full study of the hirings in the port, the amount of cargo moved and a realistic appraisal of the manpower requirements for the ensuing six months.

Standards may vary, depending upon the manpower requirements. For example: in 1963-1964 the Commission removed from the Register 3,619 persons as compared with 2,649 for fiscal 1964-1965. The Register upon completion of the twenty-first decasualization round, April 16, 1965 carried 23,796 qualified workers as compared with 24,172 a year earlier.

The Commission is aware that the new contract provisions, if properly implemented, will bring about changes in the manpower needs of the port. In anticipation of a possible reduction in the demands for longshoremen's services, the Commission has promulgated new Regulations for the removal of surplus men

from the Register. Under these Regulations new longshoremen are issued temporary registration cards and are required to work, or seek work, at least 15 days a month for a six-month period. These standards are about twice as high as work requirements applicable to persons previously registered.

Failure of the new workers to meet requirements during any month will mean immediate removal from the work force since their temporary registration will not be renewed for the following month. Permanent status on the Register is granted at the end of six months to those persons who have met the standards of the new Regulations. These Regulations thus add to the regular work force only the number sufficient to meet manpower needs in the port.

The work statistics compiled by the Commission concerning each individual longshoreman over the past twelve years for the purpose of bringing the port's labor force into balance with the manpower requirements, together with the accompanying reduction of this labor force from over 51,000 men in 1953 to approximately 24,000 in 1964, made it feasible for the United States Department of Labor to make its recommendation to labor and management that a guaranteed annual wage be considered in exchange for a reduction in the size of gangs. This recommendation has been adopted by labor and management in their collective bargaining agreement.*

*See The New Longshore Contract and Commission Observations, on previous page.



CONTINUING EFFORTS TO THWART THE COMMISSION'S POWERS

As detailed in past annual reports, the ILA, representing the majority of waterfront workers registered in the port, has waged an unrelenting battle of opposition to the existence of the Waterfront Commission since its creation 12 years ago. The labor union employed various tactics in an effort to render the Commission impotent and regain control of the waterfront.

At the very outset of the Commission's operations, ILA leaders urged the membership not to register as required by the Waterfront Commission Compact. When this maneuver failed, the leadership threatened the Commission with a port-wide strike if any longshoremen were barred from work on December 1, 1953, the effective date of the Compact. The ultimatum was rejected by the Commission and a work stoppage took place on December 1. Immediate action by the Commission and other law enforcement authorities brought a quick end to the illegal strike when officials of the union were subpoenaed before a federal grand jury.

Again, during March, 1954, the ILA, in a show of strength, struck the port in defiance of certain National Labor Relations Board rulings. During this strike the Commission suspended the registrations of longshoremen who had committed assaults, slashed police horses, interfered with policemen in the performance of their duties, cut the auto tires of longshoremen who were willing to work and committed other acts of terror. The ILA then demanded as a condition to return to work that the Commission restore to the register the longshoremen whom it had suspended.

Again the ultimatum was rejected and the strike ended when a court injunction was granted prohibiting the ILA from engaging in a work stoppage for the purpose of interfering with the Commission's statutory duties.

Again in 1955, the ILA sought to resist Commission measures by engaging in an eight-day strike aimed at blocking new Commission hiring regulations designed to protect the right of waterfront employ-

ers to hire without union interference. During this strike ILA officials stated repeatedly that the strike would continue until the Governors of New York and New Jersey took action to compel the Commission to restore to the Register certain workers barred from the waterfront and correct other alleged grievances. The Governors would not interfere with Commission action and advised the ILA leaders to take up their problems with this agency.

In the intervening years the ILA has also resorted to court actions to restrict the effectiveness of the Commission. Included have been proceedings

- to declare the Waterfront Commission Act and certain sections of the Act unconstitutional;
- to prevent the Commission from enforcing a state statute barring criminals from holding office in waterfront unions;
- to contest the power of the Commission to subpoena individuals and union books and records;
- to invalidate the Commission's authority to investigate waterfront unions' affairs and waterfront conditions generally, and
- to limit the scope of regulations promulgated by the Commission to achieve the goals of the Compact.

These attempts were unsuccessful.

More recently the ILA has taken the legislative route to oppose the Commission and has embarked on a vigorous campaign to obtain legislation which would oust the Commission from some of its vital functions and return domination of the waterfront to the Union. The Brooklyn Longshoreman, official publication of ILA Local 1814 and voice of one of its International Vice Presidents, in the March, 1965, issue kicked off the union's legislative efforts with the headline "PORT COUNCIL LAUNCHES CAMPAIGN TO WEAKEN BI-STATE AGENCY'S POWERS." The article reported on a meeting of leaders of various waterfront unions with influential members of the newly elected State Legislature. This meeting inspired an announcement that the Maritime Port Council would seek leg-

isolation to give the union control over the size of the registered waterfront work force, the Waterfront Commission employment centers and Commission hearing procedures.

In March, 1965, legislation was introduced which, as amended, would immediately close the register. Under this legislation the Commission's register would remain closed until the union and the New York Shipping Association, collective bargaining agent for the shipping industry in the Port of New York, agreed that additional workers were needed. In the absence of such agreement, an arbitrator selected by both parties would make the decision. The legislation also provided that the ILA and NYSA could agree in collective bargaining to operate the Commission's employment centers for longshoremen.

Another bill was introduced which would strip the Commission of its authority to make final determinations on hearings to grant or deny and revoke licenses and registrations and give such final power to an outside three-man board, including ILA and NYSA representation.

In its efforts to obtain passage of this legislation the ILA, joined by the NYSA, argued that the new collective bargaining agreement, which included a guaranteed annual wage feature in return for a reduction in the size of gangs, made it imperative that the Commission's Register be closed. A report based on a study conducted by the U.S. Department of Labor was used to support this position. The U.S. Department of Labor Report stated, in part:

"STABILITY OF WORKFORCE

The early curtailment of new entrants into the labor force is essential to the establishment of a stable mobile workforce and to minimize the economic impact of manpower adjustments. It is therefore urged that *consistent with the law and the authority of the Commission*, the register be closed with the establishment of appropriate methods for its reopening only for the admission of such entrants as are required to maintain the manpower needs of the industry." **(italics supplied.)*

*U.S. Department of Labor, Recommendations on Manpower Utilization, Job Security and other Disputed Issues for the Port of New York, September 25, 1964.

This statement was interpreted by the union to mean control over the size of the work force should be given to them. Completely ignored was the fact that the number of men carried on the Longshoremen's Register is so intimately related to the economic health and relative competitive position of the port that it is an absolute necessity that control of the number of registrants remain with government to assure that the general public's paramount interest be protected.

Even if the new collective bargaining agreement did result in a reduction in the required size of the work force, this would not provide any justification for vesting control over the Longshoremen's Register in the NYSA and the ILA. To delegate to private persons governmental powers of such vast scope (the authority to determine when the Longshoremen's Register is to be opened and how many men added), the exercise of which not only affects the port's economy, but the entire economies of the States of New York and New Jersey, would be completely without precedent. This action would be of dubious constitutionality and completely unwise.

The ILA conceivably could use its power of control over the register as a weapon to extract various concessions from industry. In addition, shortages of labor in the port could encourage illegal payments in order to obtain preferential labor treatment. Such unhealthy conditions most assuredly would discourage investments in future port growth on the part of private enterprise and government.

The NYSA possibly might be willing to work with a short labor force in return for other concessions from the ILA.

In short, the ILA and the NYSA are private persons with their own interests to serve and each could use its control over the size of the Register to achieve immediate, short range objectives to the serious detriment of the port.

The Port of New York is not the private preserve of either the NYSA or the ILA. The Legislatures of the States of New York and New Jersey and the Congress of the United States emphatically rejected any such notion in enacting the Waterfront Commission Compact and establish-

ing the Waterfront Commission as the public agency to safeguard the public's interest in the port. Business enterprises affected by the availability of a longshoremen's force sufficient to service the needs of the port are truckers, importers, exporters, forwarders and manufacturers.

The port, the most valuable natural asset of the States of New York and New Jersey, is the leading manufacturing, distributing, consuming and processing center in the world. Almost 18 million people, approximately one tenth of the population of the United States, live in the Port of New York area. It is estimated that one out of every four of these residents works at a job directly or indirectly deriving income from the port's business. The continuing prosperity of the port is not only essential to the States of New York and New Jersey but also to this nation and the rest of the world.

The Legislatures, recognizing in 1953 that the port is affected with a public interest, vested control over the size of the longshoremen's work force in the Waterfront Commission. The Commission, as a responsible public agency, with no selfish interests to serve and accountable to the Governors of New York and New Jersey, is the proper party to retain control over the Longshoremen's Register.

Certainly, the Commission has no desire or interest in maintaining a work force which exceeds the manpower needs of the port. The entire record of the Commission's performance bespeaks the contrary, for it has been the Commission which has regularized the longshoremen's work force and, as noted, has reduced the number of longshoremen from a peak of over 50,000 in 1952 to its present size of about 24,000.

If experience shows that additional measures are needed to regulate the size of work force because of changing labor requirements in the port,* this should be effected by legislation which would continue in the Commission such control over the size of the work force. This would be consistent with the Waterfront Commission Compact which established and constituted the Waterfront Commission as the public agency to safeguard the public's interest in the port.

With respect to the ILA's effort to gain control of the Commission's employment centers, the Legislature was advised that to transfer the operation of the centers to the joint control of union and management would endanger the protection afforded the men and the industry as well as the other waterfront reforms accomplished through government operation. This danger would result because the ILA and the NYSA have not achieved such a degree of responsibility that they could be entrusted with a function so vital to the port's well-being.

This is especially true in view of a number of specific examples of recent and continued criminal conduct on the part of prominent officials of the ILA, including the embezzlement of union dues and other funds, loansharking, and the filing, required by law, of reports regarding finances and criminal conviction of union officials which were in fact false.

It was also pointed out that if operation of the employment centers was turned over to the ILA and the NYSA the centers would soon be staffed with favorites and relatives of union officials who would control such operation. This is the established pattern in activities operated jointly by ILA and NYSA, such as welfare funds, clinics and pension funds.

As a further example of the demonstrated inability of labor and management to properly manage the hiring, the Commission has in previous annual reports referred to the flagrant failure of these parties to abide by the seniority provisions of their own collective bargaining agreement and by the denial of seniority rights to their employees and members. Such failure compelled the Commission to incorporate and implement the seniority provisions of the collective bargaining agreement in the Commission's hiring regulations for the protection of the waterfront workers.

It is the Commission's judgment that to place the employment centers under the joint control of the ILA and NYSA would, in effect, return to the union the control of hiring on the waterfront. This would be a tragic retrogression which would jeopard-

*See *Balancing the Register With Demands For Longshoremen's Services*, page 13

ize all the reforms achieved on the waterfront.

The Commission initiated center hiring. It eliminated the universally condemned "shape-up," which spawned evils and abuses, and substituted an enlightened, progressive and responsible hiring system. The Commission's success in the operation of the centers has been widely acclaimed. Even ILA leaders have not criticized it. Yet the union leaders have exerted all their efforts to obtain legislation to gain control of the hiring, not because they say they can do it better but because, they say, the Commission and not the union leaders receives all the credit from the men for improving their lot on the waterfront.

In April, 1965 the bill to close the Register and transfer the employment centers was reported out of committee in the New York Senate. Immediately a storm of public protest arose. Editorials in every major metropolitan area newspaper voiced opposition to the bill:

**THE ELIZABETH N.J.
DAILY JOURNAL, April 5, 1965**

"This renewed effort of the ILA to undermine the Waterfront Commission is of great concern to Elizabeth, with its multi-million dollar piers development. Fair hiring practices and an adequate supply of labor must be assured for the continued growth of Port Elizabeth's importance as a New York Harbor facility."

**NEW YORK HERALD TRIBUNE,
May 1, 1965**

"Any legislation to reduce the Waterfront Commission's regulatory and policing powers is a throwback which will harm the Port of New York."

**NEW YORK DAILY NEWS,
May 1, 1965**

"The bills...would side track the Commission as regards hiring, and bring back numerous evils which the Commission has pretty much rubbed out."

**NEW YORK JOURNAL-AMERICAN,
May 1, 1965**

"Such legislation would be a backward step, undermining the effectiveness of the Waterfront Commission. The bills should be killed."

**NEW YORK WORLD-TELEGRAM
AND SUN, May 3, 1965**

"Whatever the devious rationale behind the bill, it is clearly outweighed by its hazards to workers, to employers and to the competitive efficiency and economy of the entire port."

THE NEW YORK TIMES, May 15, 1965

"... the Legislature will be well advised to move slowly on relaxing Waterfront Commission employment controls, even on a stand-by basis. Any step toward dismantling the Waterfront Commission will simply invite a deterioration in waterfront standards of morality and efficiency—standards that have always been far too low."

**NEWARK, N.J. EVENING NEWS,
June 15, 1965**

"Ever since the Waterfront Commission was created in 1953 to combat crime and corruption on the New Jersey and New York piers, the International Longshoremen's Association has been trying to get rid of it. The tenacity of this pursuit offers sufficient evidence of the interstate commission's effectiveness."

Opposition was also voiced by public agencies such as The Port of New York Authority and the State Commission for Human Rights. Civic and trade groups including the Citizens Union, Commerce and Industry Association of New York, New York Chamber of Commerce, West Side Association, and the Staten Island Chamber of Commerce as well as civil rights spokesmen from the National Association for Advancement of Colored People and the National Association for Puerto Rican Civil Rights went on record as being opposed to the bill.

In opposing the provision to establish a "super" board with veto powers over the Commission's determinations, the Commission demonstrated there is no need for such legislation since no abuse of its quasi-judicial powers had been shown.

The Commission's record in the courts attests to its judiciousness in application or revocation hearings and scarcely bespeaks an abuse of power. Throughout its history the Commission has been challenged in the courts in connection with determinations concerning 142 different applicants, registrants and licensees. In

every instance the Commission's findings have been sustained. Not once have the Commission's hearing procedures been in any way criticized. Such a truly exceptional record should be the occasion for commendation, rather than usurpation of the Commission's hearing function as would have resulted from the proposed legislation.

This bill died in committee.

The "Closed Register and Hiring Hall" bill reached its first vote in the Senate on June 2, 1965. It failed to obtain the necessary majority of votes and the bill was tabled. The bill was again brought to a vote on June 9, and at this time received the votes necessary for passage. The Assembly, after a brief debate, passed the bill on June 16, and sent it to Governor Rockefeller.

On June 24, 1965 Governor Rockefeller in a strongly worded message vetoed the bill.

The New York Times.

Keeping the Docks Clean

The International Longshoremen's Association overreached itself in jamming the Mackell bill through the Legislature, and Governor Rockefeller showed courage in vetoing it. The bill would have invited a breakdown of the reforms the Waterfront Commission has effected in twelve years of rigorous policing of labor-management abuses in the Port of New York. The commission's rules for eliminating casual labor give it all the authority needed to stabilize longshore employment and thus uphold the income guarantees in the new automation pact between the I.L.A. and the New York Shipping Association. By fulfilling its own responsibilities for efficiency and sound manning practices during the four years of this pact, the dock union will have an opportunity to demonstrate that it is sufficiently mature and free from gang influence to justify a relaxation of state controls.

The Daily Journal

Published in Elizabeth, N.J.
Monday Evening, April 5, 1965
Founded 1779 as the Jersey Journal

Waterfront Board Target Again

Another blow is aimed at the Port of New York by the International Longshoremen's Association whose tactics in the recent strike did so much harm to the commerce of the metropolitan area. It again seeks to destroy the effectiveness of the bi-state Waterfront Commission.

Bills introduced in the legislatures of New Jersey and New York would close the longshoremen's register and shift operation of the commission's employment information centers to the joint control of the ILA and the New York Shipping Association. These would be steps in retrogression after a dozen years devoted to improvement of the dock worker's status.

This renewed effort of the ILA to undermine the Waterfront Commission.

DAILY NEWS

NEW YORK'S PICTURE NEWSPAPER

SLAP 'EM DOWN AGAIN

A joint effort to shrink the employment-supervision powers of the Waterfront Commission of New York Harbor is under way at Albany.

The organizations joined in this attempt are the usually hate-each-other's-guts International Longshoremen's Association and the New York Shipping Association.

The bills they are backing—Senate Intro. 3067, Print 3253, and Assembly Intro. 4922, Print 5083—would sidetrack the commission as regards hiring, and bring back numerous evils which the commission has pretty much rubbed out.

We hope the Legislature will slap these bills down, and any similar measures that may be offered at this session.

NEW YORK Herald Tribune

The Waterfront Schemers Again

The Waterfront Commission vigorously opposes bills in Albany which would close the longshoremen's register and terminate government control of hiring centers. The commission is right.

The effort to shut the work roster against newcomers is bound to create labor shortages and make for unhealthy relationships and increased port costs. And as for returning the employment halls to union-management control, this is a raw maneuver to get back to the old days of kickbacks and all the other abuses which brought the Waterfront Commission into being.

The plain fact is a lot of people

like the International Longshoremen's Association don't like reform. The Waterfront Commission's record over the last 11 years is excellent. It brought clean-up out of criminal chaos, and this is precisely what the bi-state agency's foes still resent.

Any legislation to reduce the Waterfront Commission's regulatory and policing powers is a throwback which will harm the Port of New York. The commission was created to do a necessary job, and the best measure of its performance is in the self-serving opposition which doesn't want that job performed.

The bills in Albany must be defeated.

New York Journal American

Policing the Piers

BY AND LARGE, the Waterfront Commission has done an able job in policing the piers, eliminating many of the evils, such as kickbacks, that were common before its creation in 1953.

Now there are bills in the Legislature to close the longshoremen's register to newcomers and to return hiring halls to union-management control.

Such legislation would be a backward step, undermining the effectiveness of the Waterfront Commission. The bills should be killed.

DAILY NEWS NEW YORK'S PICTURE NEWSPAPER

FINE WORK, GOVERNOR

There was a plot in the 1965 Legislature to strip the Waterfront Commission of New York Harbor of its power to supervise hiring practices on the piers.

The plot was embodied in a bill backed by State Sen. Thomas J. Mackell (D-Lib.-Queens), and passed by both houses.

As soon as the bill reached him—or almost as soon—Gov. Rockefeller vetoed it. We call that a good day's work,

The New York Times.

Waterfront Job Freeze

A strong effort is being made in the New York Legislature to undermine the Waterfront Commission's control over longshore hiring centers in the Port of New York. This campaign goes beyond the perennial efforts of the International Longshoremen's Association to scuttle all the restraints put on its activities after an investigation into waterfront racketeering by the New York State Crime Commission in 1953.

The specific impetus for the present legislative moves is the income-guarantee provided to all regular dock workers by the new four-year peace agreement between the I.L.A. and the New York Shipping Association. Any longshoreman who works 700 hours or more in the year that began April 1 will be assured of at least 1,600 hours' pay each year after that. Fear has been expressed that this guarantee will be impossible of fulfillment unless the Waterfront Commission's hiring register is closed and no newcomers are allowed into the industry.

New York Evening News

Instead of its annual demand for the commission's abolition, I.L.A. this year hopes to bring down its quarry with a flank attack. The New York Senate has passed an I.L.A. bill which would close the registry of longshoremen, freezing the work force at its present level of about 24,000. Whatever merit this proposal may have is dissipated by an accompanying provision taking the commission out of the control of the hiring halls from the commission jointly operated by I.L.A. and the New York Shipping Association. This is the heart of the plot. Back then which made a day's work for a longshoreman dependent on the good will of the labor bosses. And thereby the commission would be deprived one of its most important functions.

NEW YORK Herald Tribune

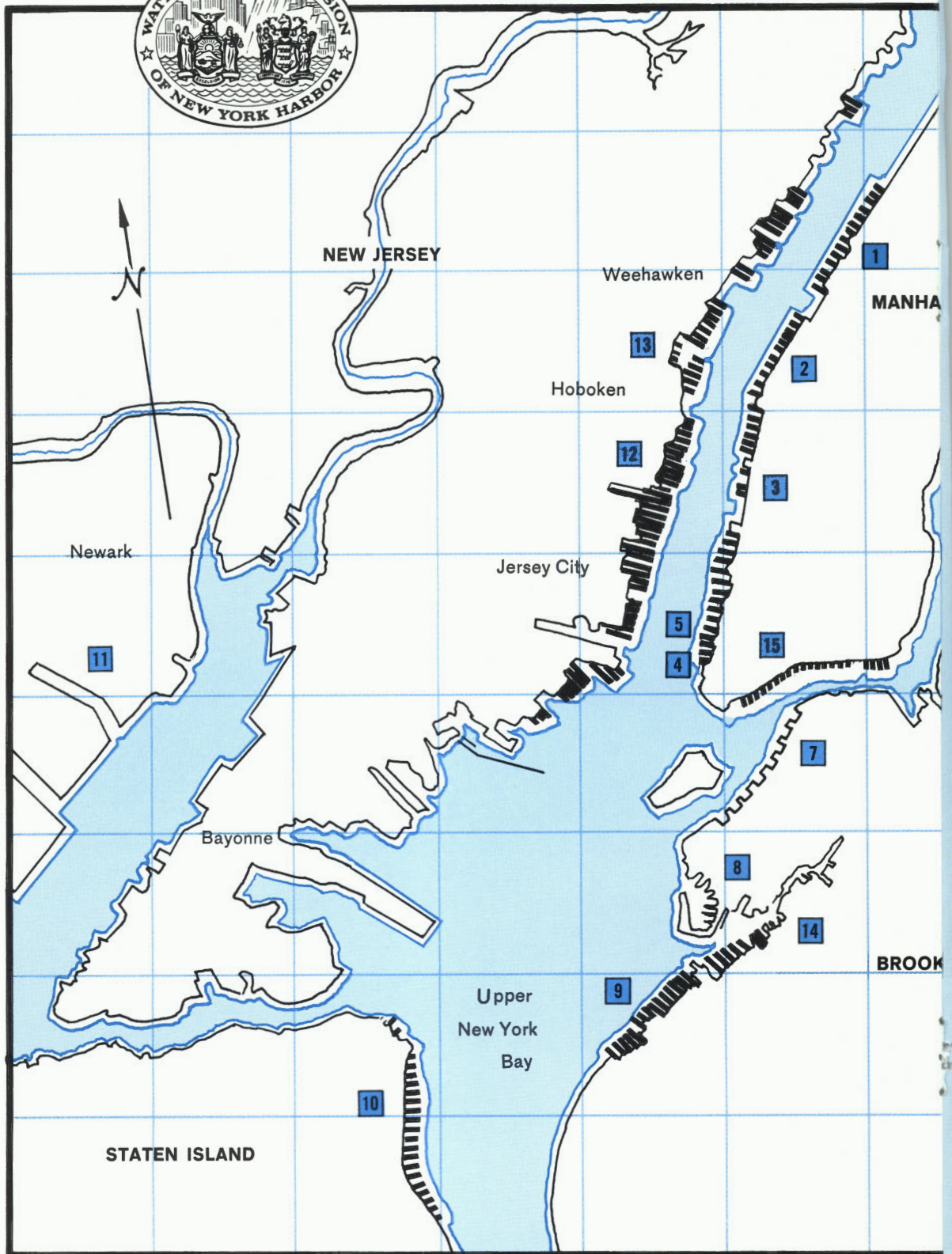
Back to the Shape-Up?

Mr. Teddy Gleason of the International Longshoremen's Association is joyous that the Legislature passed the anti-Waterfront Commission bill. He says the I.L.A. is pure and doesn't need any more policing. This we don't believe.

New York and New Jersey created the commission in 1951 to clean out the port's criminal rackets and keep them out. Gleason and his union have fought the new order every day since. They want control again.

The bill engineered through the Legislature would undercut the Waterfront Commission in two ways. Freezing of the longshore register is debatable; both the union and the

New York Shipping Association are keen for this on common economic grounds, although the commission says a closed labor market is bad. But there is no question whatever about the danger in stripping the commission of authority over the hiring halls; this is a rank attempt to restore the evils of the old shape-up. The Waterfront Commission has done an excellent job. The best evidence is the enemies it has made. The question is whether the community wants to keep on with reform or invite a full-scale return to waterfront crime. Governor Rockefeller should veto the bill.



EMPLOYMENT INFORMATION CENTERS



Center and Location

Piers and Areas Covered

MANHATTAN

- | | | |
|------------|---------------------------------|--|
| 1 | 659 11th Avenue, Manhattan | Piers 64-99 North River
Yonkers and Irvington |
| 2 | 455 West 16th Street, Manhattan | Piers 53-62 North River |
| 3 | 34 Renwick Street, Manhattan | Piers 18-52 North River |
| 4 5 | 127 Greenwich Street, Manhattan | Piers 1-17 North River
Piers 4-68 East River |
| 15 | 15 Park Row, Manhattan | Pier Guards entire port |

BROOKLYN

- | | | |
|-----------|--|--|
| 6 | 32 Java Street, Brooklyn | Long Island City, Greenpoint,
Williamsburg and Navy Yard
areas |
| 7 | 385 Hicks Street, Brooklyn | Brooklyn Port Authority piers |
| 8 | 132 Van Dyke Street, Brooklyn | Atlantic and Erie Basins,
Breakwater and Gowanus areas |
| 9 | 5504 Third Avenue, Brooklyn | Bush Docks and Army Base areas |
| 14 | 37th and Marginal Streets,
Brooklyn | 20th Street Pier, Green Dock area
and 39th Street pier |

STATEN ISLAND

- | | | |
|-----------|---------------------------|--------------------|
| 10 | 22 Wave Street, Stapleton | Staten Island area |
|-----------|---------------------------|--------------------|

NEW JERSEY

- | | | |
|-----------|---|--|
| 11 | 117 Tyler Street, Port Newark | Port Newark and Elizabeth
Port Authority piers,
Perth Amboy and Carteret areas |
| 12 | Harborside Building
34 Exchange Place, Jersey City | Jersey City and Bayonne areas |
| 13 | 60 Hudson Street, Hoboken | Hoboken, Weehawken and
Edgewater areas |



TRUCK CONGESTION AT PIERS

Many attempts have been made in the past to resolve the problem of vehicle congestion at the piers. A study of the problem has resulted in an effort on the part of government officials — including representatives of the Waterfront Commission — and leaders of industry and labor to seek a reduction in congestion through a voluntary appointment system for delivery and receiving of cargo at the docks. This effort is laudable and should be encouraged. It depends wholly, however, on the willing cooperation of thousands of people in the waterfront and trucking industries and the coordination of the many and complex variables inherent in the movement of freight.

The Commission feels that the millions of dollars invested in pier structures are not yielding maximum returns because most of the docks and terminals are normally utilized for only eight hours a day, remaining idle for the balance. Many industries achieve maximum utilization of their physical plants by operating two shifts or on an around-the-clock basis. The good will of all concerned with the waterfront industry; labor, management, shippers, consignees, brokers, consolidators and truckers, should be enlisted to find means to operate these piers on more than one shift with equitable compensation to the workers on the night shifts. If this is done, pick-up and deliveries of cargo can be made at night, when there is less street congestion in the port area and more space on the piers. This should induce increased efficiency in moving the great volume of cargo through the piers and terminals. The resulting savings would assist this port in maintaining its competitive position with other Atlantic ports which grant inducements in order to obtain business.

We recognize that the few who may be earning lucrative overtime pay because of trucking delays may be affected adversely by the elimination of truck congestion at the docks. However, there is no doubt that fuller utilization of the piers with a second eight-hour shift, in the long run, would mean increased business for the port, and, in turn, more job opportunities and greater earnings for a greater number of workers.

CARGO SECURITY ON THE WATERFRONT

The Commission has continued to devote special attention to the problems of protecting the more than \$10 billions of general cargo funneling through the port each year.

The primary responsibility for this protection rests with the port watchmen assigned to the various piers throughout the port.

Recognizing the importance of having physically fit and properly trained port watchmen guard cargo, the Commission during this fiscal year conducted qualifying training courses for 247 new port watchmen, required 1,112 already licensed port watchmen to complete refresher courses of training and had 264 port watchmen undergo physical examinations.

Over the years the Commission has pressed for the improvement of the effectiveness of the watchmen. An important factor in any such program is the ability to attract to the industry the best types of men available and then to retain them by offering adequate employment opportunities. To this end the Commission continues its program of listing each day those port watchmen who seek employment for the following day so these men may be hired by employers who need additional men.

The properly qualified and trained port watchman today is a far cry from the tragic figure described by the New York State Crime Commission in 1953 as completely ineffective in the protection of cargo and doing little more than the prevention of smoking on the piers.

Cargo losses, however, are still experienced throughout the port. Efforts on the part of all involved in waterfront security activities to combat pier pilferage must be continued so that the Port of New York may continue its position as one of the great ports of the world.

SIGNIFICANT LITIGATION

The Commission is presently engaged in litigation with the New York Shipping Association and the International Longshoremen's Association in a case with far-reaching implications for the port of New York.

The Commission has instituted suit against the NYSA and ILA in Superior Court, Essex County, New Jersey. The Commission contends in this suit that the NYSA and ILA, through the device of the medical examination, which they require of prospective workers but which they refuse to give, are denying employment to persons newly registered as longshoremen by the Commission and are thereby unlawfully arrogating to themselves the power to control the size of the longshoremen's work force in the Port of New York in violation of the Compact which empowers the Commission solely to determine the size of the longshoremen's work force.

Since April, 1963, the NYSA and ILA have required, in order to be eligible for employment, that all newly registered longshoremen must take and pass a medical examination for which a fee of \$15 was originally charged. In April, 1964 the NYSA and ILA increased the fee from \$15 to \$40. Since December, 1964, the NYSA and ILA have refused to give any medical examinations whatever, though still requiring newly registered longshoremen to take and pass such medical examination in order to be eligible for employment. Admittedly by their own papers in this case, the NYSA and ILA are refusing to give medical examinations for the specific purpose of excluding from employment all persons newly registered as longshoremen by the Commission until the NYSA and ILA agree that additional workers are needed.

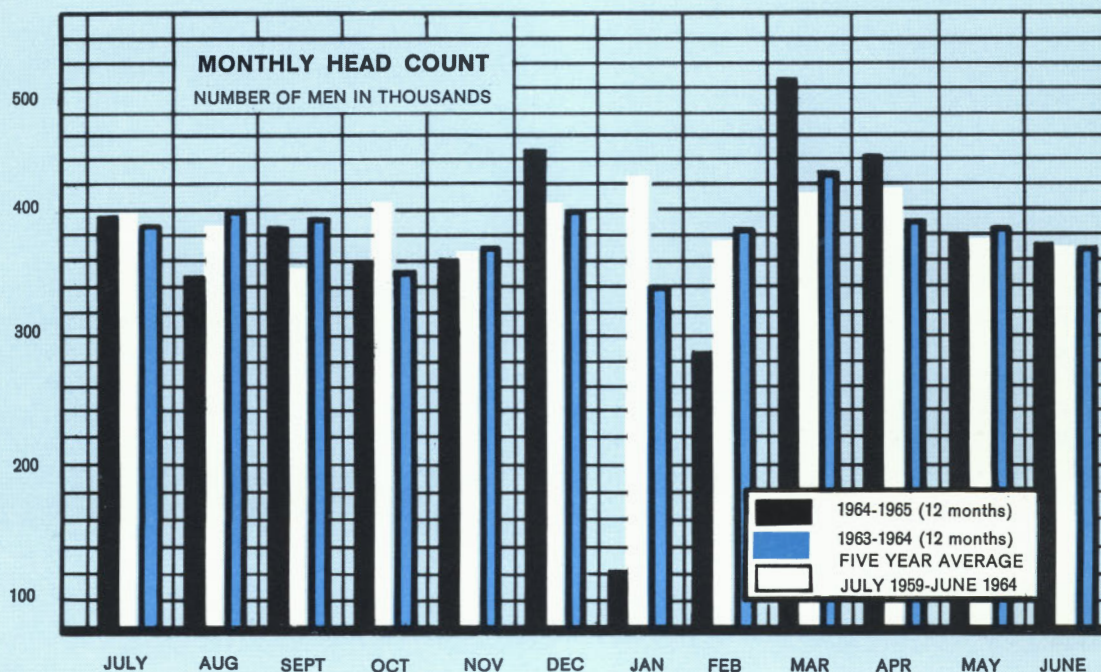
The Waterfront Commission Compact expressly mandates the Commission to reduce the size of the longshoremen's work force by eliminating those whom the Commission determines to be excess casual labor and also to bring the number of eligible longshoremen into balance with the demand for longshoremen's services. The

Compact further expressly mandates the Commission to supply a sufficient number of longshoremen necessary to meet the labor requirements of the Port and, if necessary, to register longshoremen on a temporary basis to meet special emergency needs. It is accordingly the Commission's contention in its suit against the NYSA and ILA that, by its plain language, the Waterfront Commission Compact vests the Commission with the exclusive power to determine the size of the longshoremen's work force and that the NYSA and ILA, through the device of a medical examination (which the NYSA and ILA require but refuse to give) are unlawfully usurping the statutory powers of the Commission to determine the size of the longshoremen's work force in the port of New York.

The Commission instituted suit to prevent the NYSA and ILA from using the medical examination as a device to control the size of the longshoremen's work force not only to clearly establish the principle of law involved but also because it is the Commission's considered opinion that

it would be seriously harmful to the economy of the port to permit private persons with selfish interests—such as the NYSA and ILA—to control the size of the longshoremen's work force in the port. To permit this would be to place waterfront hiring under control of the same management-labor combine whose abuses of the hiring process and exploitation of the waterfront employment seeker created the need for the Waterfront Commission in the first instance. Many of the old evils existing before the creation of the Waterfront Commission—and many new ones—may arise if the NYSA and ILA are permitted to arrogate unto themselves the power to control the size of the longshoremen's work force. Such control by the NYSA and ILA over the size of the longshoremen's work force may result in shortages of labor, shakedowns of employers in urgent need of workers, preferential treatment for favored workers and employers, and other abuses.

The case has been argued by all sides and decision is presently being awaited.



LAW ENFORCEMENT ON THE WATERFRONT

Corrupt Practices by Union Officials:

During the 1964-1965 year the Commission's investigation into the embezzlement of union funds by officials of the ILA Checkers Local was completed. As a result of evidence furnished the federal authorities in the Southern District of New York by the Commission, two business agents were indicted; one for embezzlement of union funds in violation of the Landrum-Griffin Act, the other for perjury resulting from testimony concerning such funds. Since the last Annual Report, another business agent, representing checkers working in New Jersey, was convicted in federal court of embezzlement of union funds under the same federal statutes. He was sentenced to six months in a federal penitentiary, and is presently appealing his conviction.

In 1965 the Commission established that a licensed stevedore had loaned \$2,000 to a union official. It was shown by the Commission that the loan was made to such official to maintain good will. After a hearing the Commission determined that the making of a loan under these circumstances was not consistent with the good character and integrity required of the licensed stevedore and ordered a fine of \$3,500, or 30 days suspension of the license.

Recovery of Cargo Stolen from the Piers:

In its 1962-63 Annual Report, the Waterfront Commission reported that it had established a fictitious trading company on the lower East Side. Under this guise the Commission recovered over \$200,000 worth of cargo stolen from Manhattan and Brooklyn docks by longshoremen and truck drivers.

After federal court trials in the Southern District of New York, 11 men were convicted for thefts from interstate commerce and received sentences ranging from three months to three years in prison. This investigation established that large scale thefts from piers cannot be effected without the collusion of the checker, or hi-lo driver, and truck driver.

The longshoremen involved, released from prison after serving their sentences, have been barred from dock employment because of their crimes. However, the truck drivers, equally culpable, were free to return immediately to the piers since the Waterfront Commission has no authority to preclude them.

In 1965 the same technique was utilized by setting up a "store" on the Bowery. During the several months of operation, Commission investigators purchased approximately \$57,000 worth of goods, a substantial portion of which had been stolen from the piers. Included in the thefts were costly antibiotics, cosmetics, clocks, sporting and household goods.

Once again the success of these pier thefts hinged upon the concerted actions of checkers, hi-lo drivers and truck drivers. As a result of this investigation, three truck drivers were given sentences ranging from six months to four years and two waterfront workers received sentences from 18 months to four years. The trials were held in New York Supreme Court.

Anti-loanshark Legislation:

Over the years the Waterfront Commission has acquired great expertise in the area of investigation and suppression of the lending of money at usurious rates of interest—or loansharking.

Using the experience gained in this area, the Commission in its 1962-1963 Annual Report urged the Legislatures of the States of New York and New Jersey to enact special legislation making loansharking a felony in certain circumstances.

In 1964 the New York State Commission of Investigation conducted broad public hearings into the extent of existing loansharking practices, and invited this Commission to give testimony in relation to the waterfront. Waterfront Commission representatives appeared at the hearings, and, after describing waterfront loansharking practices, repeated the 1962-1963 recommendation that loansharking be made a felony. In addition, they urged that mere possession of loansharking records be made a crime. The Commission of Investigation included these recommendations, among others, in its report, and proposed

legislation contained these recommendations.

In the 1965 session of the New York State Legislature a bill making the lending of money at interest rates in excess of 25 percent annually a felony was adopted by both houses and signed by Governor Rockefeller. The law became effective July 1, 1965.

At the present time the Waterfront Commission is cooperating with the Attorney General of New Jersey, who is seeking to obtain stronger loanshark legislation for that state which will enable the Commission to protect longshoremen from the grip of loansharks on both sides of the Hudson River.

Using the newly enacted provisions of the loanshark law, the Commission has obtained evidence of usurious lending of money against two longshoremen. Both were indicted, and one has been convicted of a felony.* Pending final disposition of their cases, these men have been suspended from the Longshoremen's Register.

Other Law Enforcement Action:

Evidence obtained by Waterfront Commission investigators and other law enforcement officers resulted in the temporary suspension, or in some cases the permanent revocation, of the registrations of 225 waterfront workers who were found to be in violation of the Waterfront Commission Compact. The offenses included larceny, assault, policy, book-making, loansharking, carrying dangerous weapons, receiving stolen goods and violation of the Commission's hiring regulations.

*This was the first felony conviction under the newly enacted provisions of the loanshark law.

Conclusion:

The Commission has used its investigatory powers to eliminate undesirables from the waterfront, whether they be workers, employers or union leaders, together with its regulatory powers to conduct the hiring through employment centers, to stabilize and balance the work force, and to improve the security of cargo on the piers, in order to achieve the overall objective of improving the economy of the port and of preserving its economic pre-eminence. These measures are bringing about a change in the port's reputation from a corrupt, high-pilferage, costly port to a port that is clean, efficient and progressive. This changing reputation should encourage new business for the port and thereby make a substantial contribution to the improvement of the economies of the States of New York and New Jersey.

For the reasons set forth in this Report, the Commission finds and determines that public necessity exists for the continued registration of longshoremen, the continued licensing of the occupations as required by the Waterfront Commission Compact and the continued operation of Employment Information Centers as provided in Article XII of the Compact. Continuation of these measures is deemed necessary to maintain the well-being of the vital Port of New York and to achieve the objectives of the Compact.

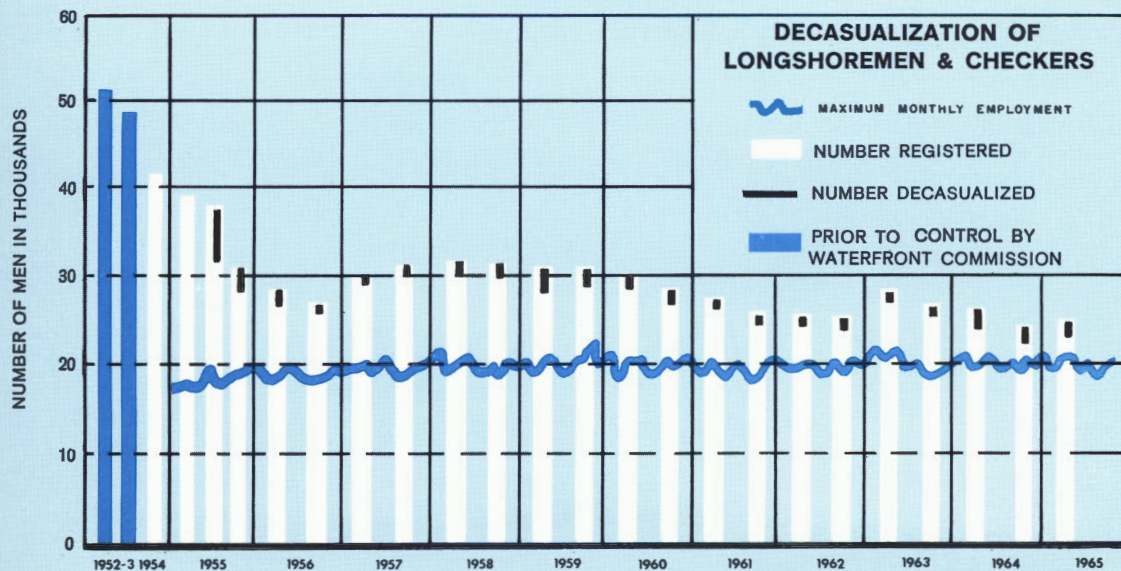
Respectfully submitted,

Joseph Kaitz
Commissioner for New York

William L. Kirchner, Jr.
Commissioner for New Jersey

DECASUALIZATION OF LONGSHOREMEN AND CHECKERS

		Number Decasualized	Remaining Registrations
1st Decasualization	June 3, 1955	7,141	31,574
2nd Decasualization	October 28, 1955	5,118	27,284
3rd Decasualization	April 20, 1956	2,731	26,486
4th Decasualization	October 19, 1956	1,554	26,746
5th Decasualization	May 3, 1957	1,694	28,928
6th Decasualization	October 21, 1957	1,775	31,056
7th Decasualization	May 21, 1958	1,898	31,946
8th Decasualization	October 22, 1958	2,510	30,364
9th Decasualization	May 14, 1959	2,753	28,886
10th Decasualization	October 29, 1959	1,667	28,928
11th Decasualization	May 11, 1960	1,807	28,355
12th Decasualization	October 27, 1960	1,577	27,535
13th Decasualization	May 11, 1961	1,859	26,920
14th Decasualization	October 26, 1961	1,536	25,754
15th Decasualization	May 10, 1962	1,498	25,758
16th Decasualization	October 25, 1962	1,012	25,843
17th Decasualization	May 10, 1963	1,182	27,218
18th Decasualization	October 22, 1963	1,523	25,997
19th Decasualization	April 10, 1964	2,096	24,172
20th Decasualization	October 15, 1964	1,715	23,084
21st Decasualization	April 16, 1965	934	23,796



RESUME OF LITIGATION

English v. Waterfront Commission of New York Harbor, 16, N.Y. 2d 761 (1965)

A determination of the Commission revoking a checker's registration for participating in the theft of 45 bales of woolen piece goods from a Brooklyn Port Authority Pier was unanimously affirmed by the Court of Appeals which rejected the checker's claim that the Commission's determination rested upon unreliable testimony by an accomplice.

Sessa and Impliazzo v. Waterfront Commission of New York Harbor, 24 A.D. 2d 450 (2nd Dept. 1965)

The Commission revoked the longshoremen and checker registrations of two individuals who used their control over the loading of trucks at a pier in Brooklyn to extort money from truckers and importers by delaying or threatening to delay loading services. The Commission's determination that the individuals were guilty of such extortion was unanimously affirmed by the Appellate Division, as was the Commission's order of revocation as to one longshoreman. As to the second longshoreman, the Appellate Division, in a split vote, modified the Commission's order of revocation by providing for a period of revocation only to the date of the Appellate Division's decision. The Commission has noticed an appeal to the Court of Appeals respecting such modification of the period of revocation for the second longshoreman and the first longshoreman in turn has noticed a cross-appeal to the Court of Appeals from his outright revocation.

Hargrave v. Waterfront Commission of New York Harbor (Unreported)

A longshoreman instituted a proceeding in the Supreme Court of New York to enjoin a hearing by the Waterfront Commission to determine whether such longshoreman's registration should be revoked. The longshoreman contended that the Commission's proceeding was unlawful because it charged him with engaging in bookmaking on the waterfront when he had been acquitted of such charge in criminal court and that his criminal acquittal barred such charge by the Commission. The Supreme Court dismissed the proceeding to enjoin the Commission's hearing.

COMMISSION DETERMINATIONS

Year Ended June 30, 1965

	APPLICATIONS			REVOCATIONS				Totals
	Denied	Granted	Revoked	Revoked Leave to Reapply	Sus- pended	Repri- manded	Sus- pended Hearing	
Longshoremen	59	8	27	37	19	3	15	168
Checkers	8	2	8	2	0	0	0	20
Hiring Agents	0	0	0	1	2	0	0	3
Pier Superintendents	0	0	0	0	1	0	0	1
Port Watchmen	8	0	0	0	4	1	1	14
Stevedores	0	1	0	0	1	0	0	2
TOTALS	75	11	35	40	27	4	16	208
Summary Proceedings								169

PETITIONS

	Denied	Granted	Totals
Petitions for Reconsideration or for Leave to Reapply	73	33	106
Petitions for Rehearing	1	2	3
Petitions to Withdraw	2	11	13
Petitions to Remove Ineligibility by Reason of Criminal Conviction	0	8	8
TOTALS	76	54	130

APPLICATIONS RECEIVED AND PROCESSED DURING FISCAL YEARS INDICATED **In Effect June 30, 1965**

	1954*	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
Longshoremen	36,272	5,196	3,681	7,296 ^a	5,940	3,491	3,983	2,926	2,142	3,189	1,640	1,566
Checkers				4,077 ^a	618	320	398	265	134	613	171	453
Port Watchmen ^(b)	2,890	458	265	2,893	573	350	2,415	335	168	321	199	418
Pier Superintendents	457	88	87	69	81	59	88	73	84	176	41	37
Hiring Agents	787	147	103	129	102	77	127	107	119	103	66	51
Stevedore Companies ^(c)	77	7	54	4	45	4	45	0	36	1	29	0
TOTALS	40,483	5,896	4,190	14,468	7,359	4,301	7,056	3,706	2,683	4,403	2,146	2,525

*Initial year of Commission operations.

(a) Craftsmen required to register as longshoremen and checkers registered separately under Waterfront Commission regulations effective May 27, 1957.

(b) Port Watchmen are required to renew licenses every third year.

(c) Stevedores are required to renew licenses every second year.

REGISTRATIONS AND LICENSES

In Effect June 30, 1965

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965
Longshoremen				27,537 ^a	27,948	24,967	24,182	22,661	22,079	22,691	20,408	19,792
Checkers	35,117	31,639	27,050	4,062	4,381	4,173	4,268	4,140	4,095	4,503	4,197	4,511
Hiring Agents	612	592	597	618	645	630	622	589	607	609	578	565
Pier Superintendents	355	365	379	380	407	408	411	392	403	438	418	417
Port Watchmen	2,796	3,009	3,010	2,319	2,414	2,218	2,021 ^b	2,047 ^b	1,961 ^b	1,756 ^b	1,652	1,801
Stevedores	54	52	48	45	46	45	39	36	33	29	29	28
TOTALS	38,934	35,657	31,084	34,961	35,841	32,441	31,543	29,865	29,178	30,026	27,282	27,114

(a) Craftsmen required to register as longshoremen and checkers registered separately under Waterfront Commission regulations effective May 27, 1957.
 (b) Includes supervisory personnel required to be licensed under Waterfront Commission regulations effective January 1, 1960.

DIVISION OF INVESTIGATION

Year Ended June 30, 1965

Investigations conducted	4,483
Active Waterfront Commission registrants or licensees arrested :	225
Arrests by Waterfront Commission Investigators:	
for theft or pilferage	78
for gambling	15
for other offenses	27

DIVISION OF LAW

Year Ended June 30, 1965

Applications investigated and processed	516
(The above figure includes applications for registration or license as longshoremen, checker, hiring agent, pier superintendent, port watchmen and stevedore.)	
Formal hearings conducted and completed	208
Petitions for removal of ineligibility investigated and completed	9
Petitions for reconsideration investigated and completed	106
Investigations conducted and completed	370
Recent arrests investigated and completed	257
Probationary cases investigated and completed	92
Hearings ordered	201
Withdrawal, Legal Hold and Decasualization cases	125
Witnesses questioned	1,824

PEAT, MARWICK, MITCHELL & Co.

CERTIFIED PUBLIC ACCOUNTANTS

SEVENTY PINE STREET

NEW YORK, NEW YORK 10005

ACCOUNTANTS' REPORT

The Commissioners

Waterfront Commission of New York Harbor:

We have examined the statement of cash receipts and disbursements of the Waterfront Commission of New York Harbor for the year ended June 30, 1965. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the accompanying statement of cash receipts and disbursements presents fairly the cash transactions of the Waterfront Commission of New York Harbor for the year ended June 30, 1965, on a basis consistent with that of the preceding year.

Peat, Marwick, Mitchell Co.

New York, N.Y.
July 27, 1965

FINANCIAL REPORT

WATERFRONT COMMISSION OF NEW YORK HARBOR STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS YEAR ENDED JUNE 30, 1965

Balance of funds at beginning of year:

Cash balance (net of amounts withheld from employees' earnings)	\$ 29,251.01
Cash in badge deposit savings account	8,990.00
United States Treasury bills, at cost, which approximates market	<u>247,824.01</u>
	286,065.02

Receipts:

Assessments on employers of persons registered or licensed by the Commission	\$2,227,639.01	
Interest on United States Treasury bills	11,026.93	
Interest on time certificates of deposit	4,442.15	
Court fines and penalties	1,000.00	
Badge deposits (net)	870.00	
Interest on badge deposit savings account	<u>369.87</u>	<u>2,245,347.96</u>
		2,531,412.98

Disbursements:

Salaries	1,670,204.22	
Rentals	230,046.53	
Retirement, group insurance and social security taxes	173,094.50	
Special services and expense	56,716.63	
Communications	45,525.71	
Carfares, auto expense and travel	35,994.17	
Leasehold alterations	25,235.05	
General office expense	25,195.74	
Repairs and maintenance	25,170.73	
Furniture, fixtures and equipment	24,777.76	
Insurance	18,692.33	
Light, heat and power	15,263.66	
Printing	14,920.99	
Miscellaneous overtime expense	7,699.76	
Seniority plan costs	<u>4,166.07</u>	<u>2,372,703.85</u>

Excess of receipts and balance of funds at beginning of year over disbursements—balance of funds at end of year, consisting of:

Cash in checking accounts	66,133.29	
Less taxes and other withholdings from employees	<u>16,297.07</u>	
	49,836.22	
Cash in badge deposit savings account	9,860.00	
United States Treasury bills, at cost, which approximates market	<u>99,012.91</u>	<u>\$ 158,709.13</u>

AREA SURVEY OF WATERFRONT HIRINGS
(For year ended, June 30, 1965)

Piers and Areas	Hirings		% Change	% Share of Port Employment	
	1963-1964	1964-1965		1963-1964	1964-1965
Piers 64-99 North River— Irvington-Yonkers	392,144	399,379	+1.84	8.3	9.0
Piers 53-62 North River	485,210	409,675	-15.56	10.3	9.2
Piers 18-52 North River	310,667	286,986	-7.62	6.6	6.5
Piers 1-17 North River Piers 4-68 East River	235,253	208,095	-11.54	5.1	4.7
TOTAL—MANHATTAN	1,423,274	1,304,135	-8.37	30.3	29.4
Long Island City Greenpoint, Williamsburg and Navy Yard	95,190	91,433	-5.01	2.0	2.1
Brooklyn Port Authority Piers	494,000	528,675	+7.01	10.5	11.9
Atlantic and Erie Basins, Breakwater and Gowanus	616,604	594,984	-3.50	13.1	13.4
Bush Docks—Army Base	518,297	444,171	-14.30	11.0	10.0
20th St., Green Docks and 39th St.	494,564	451,866	-8.63	10.6	10.1
TOTAL—BROOKLYN	2,218,655	2,111,129	-4.84	47.2	47.5
Staten Island	91,071	95,475	+4.83	1.9	2.1
TOTAL—STATEN ISLAND	91,071	95,475	+4.83	1.9	2.1
Port Newark and Elizabeth Port Authority, Perth Amboy and Carteret	512,645	486,476	-5.10	10.9	11.0
Jersey City and Bayonne	154,611	146,256	-5.40	3.3	3.3
Hoboken, Weehawken and Edgewater	304,620	296,193	-2.76	6.4	6.7
TOTAL—NEW JERSEY	971,876	928,925	-4.41	20.6	21.0
TOTAL—PORT OF NEW YORK	4,704,876	4,439,664	-5.64	100.00	100.0

NOTE: 33 Day Portwide Strike in 1964-1965 period. (21 days in January and 12 days in February—1965)

The Waterfront Commission of New York Harbor is pleased to reprint this official report by the United States Department of Labor which shows—graphically and unmistakably—the remarkable transformation in the working conditions of the Port of New York achieved through Commission action. This report contrasts the working conditions of this Port with nine other Atlantic and Gulf Coast ports where there is no agency such as the Commission. This report, documented throughout by detailed and revealing statistics, shows that “New York is the only port on the Atlantic and Gulf Coasts to have achieved relative stability in longshore employment”; that in New York, the Commission’s decasualization program and the seniority system, enforced by Commission regulations, “have provided a more balanced work force and assured a high level of available worktime to longer service employees”; that in New York the work force had declined from “more than 51,000 longshoremen on the payrolls in 1951-52, of whom 35 per cent worked less than 100 hours . . . during the year . . . to about 27,000 men [by 1961-62], only 17 per cent of whom worked less than 700 hours a year”; that “this decline [in the work force which by 1964-65 had been still further reduced to less than 24,000 men] came about largely through changes in the hiring system with the advent of the Waterfront Commission of New York Harbor and the development of a seniority system by labor and management”; and that in New York the average annual wages for longshoremen were more than twice as much than in the other ports. The Commission’s most recent annual report for 1964-65 details and brings up to date the Commission’s program.

HIRING PRACTICES FOR LONGSHOREMEN

Reprinted by the Waterfront Commission
of New York Harbor. Taken from the
Monthly Labor Review, November 1965
Issue, U. S. Department of Labor

Hiring Practices for Longshoremen

The Diversity of Arrangements Shown by a Labor Department Study of 10 East and Gulf Coast Ports

PHYLLIS GROOM*

New York is the only port on the Atlantic and Gulf Coasts to have achieved relative stability in longshore employment. From a third to 80 percent of the workers in the nine other ports surveyed by a Labor Department study worked less than 700 hours a year, the usual point at which a worker is considered to be part of the basic work force.¹

With few exceptions, a longshoreman is hired for periods of 4 hours or 8 hours; hiring procedures, to a large extent, determine how casual this employment is, and thus, his annual earnings. Hiring practices also affect, among other things, absenteeism, restrictive work practices, and the availability of skilled men. In most ports, the number of those working at some time during the year is much larger than the number needed to perform the work, as illustrated by the following examples from some of the larger ports.

In New Orleans, the number of longshore workers ranged between 11,500 and 15,500 annually in the 7-year period ending in 1962-63. Weekly employment requirements (based on the total number of men hired) were most frequently

for 6,000 to 6,200 workers, and only rarely up to 7,000.

Average daily hirings of 2,238 in Philadelphia, contrast with a total work force numbering 6,975 in contract year 1960-61, 6,300 in 1961-62, and 7,550 in 1962-63.

Job competition is a principal cause of many of the problems of manpower use and job security in the ports. In New York, the "decasualization" program and the seniority system have provided a more balanced work force and assured a high level of available

*Of the Division of Publications, Bureau of Labor Statistics.

¹The study of manpower use and job security, requested by labor and management as a result of a proposal by a special mediation board in January 1963, was completed in the summer of 1964. For use in the 1964 negotiations, the study covered labor force characteristics, customs and practices affecting manpower use, work force flexibility and manning requirements, and job security, as well as hiring practices in the port and their relationship to seniority. (Hiring practices for clerks, checkers, timekeepers, and so on, who frequently have a more stable attachment to the industry than do the longshoremen, are not discussed in this article.) It was based on observations of port activities, interviews with labor and management, and other research. For a comparison with dock practices in several European ports, as well as New York, see Vernon H. Jensen, *Hiring of Dock Workers* (Cambridge, Mass., Harvard University Press, 1964).

total weekly hirings indicate that week-day employment typically ranged between 2,700 and 2,900. Employment did not exceed 3,000 for any week during 1961-62. Such wide divergence between job opportunities and the number of men who seek employment indicates the degree to which the current work force exceeds the needs of the port even in Baltimore, which is the least casual port after New York.

In the other eight ports, longshoremen are hired through some variation of the daily shapeup, and the extent to which the gang foreman's employment is regular and the extent to which he hires the same men become very important.

worktime to longer service employees. Over half of the employees work 1,600 hours a year or more; over four-fifths work 700 hours or more, and only about 7 percent—the completely casual employees—work less than 100 hours.

Of the other ports studied, Baltimore is the only one with a fairly stable work force. There, the gangs have regular attachment to individual employers and labor and management have limited the formation of new gangs.

During each of the 4 years before 1965, more than 4,000 men were in the Baltimore longshore work force. Yet,

Another indicator of the casualness of port employment is the amount of average annual earnings. In Houston and Galveston, these earnings were estimated at \$2,521 and \$1,501 in the 1962-63 contract year; in New Orleans, the average was \$2,208.

In New York, the average for 1961-62 was \$5,364. In that port, longshoremen's earnings outside the industry were examined in detail. Of the 5,937 longshore industry workers reported as working less than 700 hours in 1962 (and earning less than \$1,500 as longshoremen), more than three-quarters

reported earnings in some other industry, and more than two-thirds earned \$3,000 or more in other industries. Thus, in many instances, casual longshore employees earn considerably more in other work. Their occasional longshore employment, however, reduces the employment opportunities of more permanently attached longshore employees.

The hiring matrix consists of the union, the stevedore, the foreman, and the longshoreman. Such questions as whether seniority is a factor in the union, whether the stevedore specifies beforehand the number of men he will need, and whether the foreman receives his job through the union or through the employer, illustrate a few of the attitudes and needs of the parties that must be taken into account.

The hiring and seniority practices summarized on the following pages describe conditions prior to 1964 negotiations. During the bargaining, labor and management in several of the ports considered their hiring practices and in some cases changes have been or are being made.

The Labor Department study delineates five conditions of a hiring system that would insure that men in the basic work force have preference for available work: Registering the work force; grouping the workers according to the degree of their attachment to the industry in the past; eliminating surplus workers from the register; limiting the intake of new workers, to avoid returning to a surplus labor situation; and insuring that men in the basic work force are available when and where they are needed. These conditions present one basis for evaluating the following hiring practices that were in effect at the time of the Labor Department report on each port.

Philadelphia

At some 14 points along the waterfront, where each stevedore has a regular hiring location, either in front of a pier or on a nearby lot, foremen hire the number of men needed for that day.

With few exceptions, gangs are attached to individual stevedores and are considered regular gangs. The stevedore does not maintain a roster of the members of his gangs, however, and their selection is controlled by the foreman. Normally, a nucleus of several men work regularly with the same foreman, but other men in the gang may change from job to job.

A system of hiring established in 1960 by all ILA contracts in the port gives preference in employment to longshoremen holding Group I identification cards. Group I cards are issued by the Philadelphia Marine Trade Association (PMTA), based on pension and welfare plan records, to longshoremen who have (1) worked 9,000 hours or more in the past 13 years, (2) worked at least 700 hours in the past year, or (3) worked at least 700 hours during any 3 of the past 5 years. Men who would qualify except for military duty, service as a union official, or compensable disability are included.

Under the contract, the foreman is required to hire men with preference cards until all such men standing by are hired. Thereafter, he may hire noncard men. All card men, regardless of length of service, have equal preference in employment. At best, the system protects the Group I men only against casuals.

The effectiveness of the preference system is further diminished by the simultaneous hiring at all 14 locations. Failing to be hired at one, a card-holder frequently finds that he is too late to shape elsewhere. Thus, card men seeking employment may fail to be hired on a particular day even though noncard

men are hired at nearby piers.

Recognizing the problems in pier hirings, labor and management, in May 1962, instituted central hiring at a site beneath the Walt Whitman Bridge, but it lasted about a day and a half. It has been agreed that there were inadequate arrangements for traffic, parking, and shelter for all the men; that a substantial number of men resented having to go to one end of the waterfront when their usual hiring point was more accessible; and that the men had not been adequately apprised of the change by either labor or management.

In late 1963, in a second attempt to improve hiring procedures, a committee of the PMTA proposed that card men be hired at the regular shaping time at various locations and that any remaining vacancies be filled at a second shape held at a single location 10 minutes later, but this plan was never instituted.

Houston

Day-to-day hiring procedures are handled entirely by the union. Placing the order terminates the employer's role. He does not know which gangs he will get, who the gang foreman will be, or whether he will get the number of gangs he requested. These matters are determined by officials of the two locals that share the jurisdiction, whose members, on the basis of longstanding practice, alternate assignments on each ship between fore and aft hatches. The local union which is next to be assigned to the forward hatches has first choice of any newly arrived ship.

Under the contract, the Master Stevedores Association of Texas has the right to name gang foremen. But under the rules of the hiring hall, the man having the lowest earnings goes out first, and this is the procedure followed. The foreman does not have the right to pick a particular ship or cargo. He accepts

an assignment as his name comes up or he goes to the bottom of the list.

The name of the foreman and related information (employer, ship, wharf, time, size of gang, etc.) are posted in the hiring hall. Essentially the same information is tape-recorded so that foremen can telephone for assignments and longshoremen can find out how busy the port is going to be.

About 45 minutes before the call to work, the foremen begin to pick their gangs. By this time, the men have assembled in the hall and, as required, have segregated themselves according to seniority categories.

The seniority system sets up eight length-of-service classifications, from casuals to those with 25 years of service (Gold Star men). To retain their seniority classifications, all except Gold Star men must work at least 1,200 hours during each contract year (apparently on the ground that a worker averaging less than 3 days of waterfront employment a week is not a "regular" and should be discouraged from remaining in the industry). The seniority plan makes allowance for breaks in service for illness, military service, and other specified causes, at the rate of 24 hours a week.

When the hiring starts, the foremen must first offer jobs to Gold Star men, then to AAA men, AA next, etc., until the gang is complete. Men within a classification have equal hiring privileges. For example, a 19-year man cannot claim preference over another AA man with less than 19 years of service. Men for dock and deck jobs are hired first, holdmen last, so that the physically more demanding jobs go to the junior men.

A foreman can reject a jobseeker only if he is certain that the man is unable to perform a particular job. A longshoreman, on the other hand, is free to turn down a foreman for any reason. Under

this arrangement, a foreman is likely to have different men every time he goes out to work. Moreover, he may be unable to assemble enough men for a gang. If this occurs, the stevedore's only recourse is to place the order for the next call, hoping that by that time enough men will be available and willing to accept the assignment.

The system of equalization of earnings for foremen and seniority preference for jobs among the men have created an orderly hiring procedure in Houston. In addition, the requirement that a man must work at least 1,200 hours annually to maintain seniority goes far toward establishing a stable work force.

On the other hand, the system frequently fails to provide adequate manpower. Gangs report short because men refuse certain jobs; men accept jobs but quit before the work is completed, gangs are composed of different men from day to day, and not all of the men are competent to perform the jobs to which they are assigned, particularly as winchmen or drivers.

Galveston

There is no seniority preference in hiring in Galveston, although it is covered by the same contract as Houston. The method followed by stevedores in ordering gangs differs only slightly from that in Houston. An employer calls the two principal longshore locals and informs them of the number of gangs required for the end of the ship they will work. The two locals divide the work evenly between fore and aft hatches in the order in which calls are received. A third longshore local, whose jurisdiction is limited to three stevedoring companies, has dispatching practices virtually the same as those of the two larger locals.

The major difference in the hiring

Hiring Practices. About 85 to 90 percent of the work force is ordered in advance through the employment centers. Gangs are hired as units and report directly to the pier the next morning. Each pier hires first its regular attached gangs and then its regular extra gangs. Other available gangs may be hired if needed: First, other gangs in the same seniority section, then others in the same borough, and finally, any gangs remaining in the port. Industry seniority plays no part in gang hirings.

Under this system, the only day-to-day hiring at the 13 employment centers is of individuals to fill in gangs which report short and extra labor for terminal operations. These men constitute the 10 to 15 percent of the daily work force who were not prevalidated the previous day. Even here, however, pier seniority takes precedence over industry senior-

ity, since any men attached to a pier who have not been prevalidated have first priority on any of the extra jobs on that pier, before hirings on the basis of industry seniority begin.

Once industry seniority hiring is applicable, all men within each seniority section must be hired before any outside that section are hired. Similarly, all men in the borough must be hired before men outside the borough can be hired (there are a few exceptions). A recent change in seniority rules placed the lowest seniority category—medical card men—on a port rather than section seniority basis. As a result, hiring preferences in the industry seniority phase of hiring will increasingly be retained in section and borough hiring, thus reversing a trend to limit the mobility of the work force by retaining strict seniority section preference.

The attrition formula and all the other policies of seniority and job protection for which unions have labored will create problems that may do great damage to the bonds between unions and the have-nots of the economy. This is because the very essence of the attrition approach is that it provides elaborate safeguards for those who are already in jobs. It does nothing for those outside, who are clamoring to get in and find there are not enough jobs to go around.

... The ironic fact is that the more successfully the unions do the job they were set up to do—of bringing more money, more benefits, and more security to their members—the more acute this cleavage between the outs and the ins is bound to become. ... Without much more rapid progress than we are now making toward full employment, the adoption of attrition as the best device for coping with the human consequences of automation will mean that unions will be doing more and more for fewer and fewer workers. And the better the jobs become, the more trustworthy the mechanisms that make them a highway to security, the less possible it will be to stifle the discontent of those who are shut out.

men they need that day. The men gather around the header with whom they usually work.

Stevedores follow various procedures when a need develops for extra hands. For example, the stevedore may first call the union hall and request that men be sent over. Should men not be available, he may call individuals at their homes to offer employment.

The stevedore's orders are for only a day at a time. When the loading or discharging of a ship cannot be completed in one day, the employer places fresh orders with the union. He may well order the same headers who started the ship, but he is not obligated to do so.

The number of gangmen each header is to hire is not usually specified at ordering time. This information is available only when hiring begins—a practice that tends to cause more men to assemble than are required.

New York

Until about 10 years ago longshoremen in the port of New York were hired daily at the head of each pier. Under this system there were more than 51,000 longshoremen on the payrolls in 1951-52, of whom 35 percent worked less than 100 hours (and more than half less than 700 hours) during the year. By 1961-62, the total longshore work force had declined to about 27,000 men, only 17 percent of whom worked less than 700 hours a year. The proportion working more than 1,600 hours a year increased from 26 percent in 1951-52 to 55 percent in 1961-62. This decline came about largely through changes in the hiring system with the advent of the Waterfront Commission of New York Harbor and the development of a seniority system by labor and management.

Since 1953, the Waterfront Commission has maintained a register of longshore workers. All hirings are made through 13 employment information

centers operated by the Commission, and only men who are registered may now be employed. The Commission also administers a "decasualization" program which removes from the register those workers who fail to meet fixed minimum work requirements.

An accompanying development has been the establishment of a meaningful seniority system which is a combination of pier attachment and length of continuous service.

Seniority. In February 1957, the parties agreed on the principle of seniority, and a seniority agreement later established A, B, and C classifications, based on years of continuous service in the industry. In general, A-men were those with 10 to 15 years of service, B-men, those with 5 to 10 years of service, and C-men, those with 1 to 5 years of service. Those with fewer years of service were designated "casuals." Late in 1961, the casual group was divided into D-men (2 years of service) and medical card men (those who had passed a qualifying physical examination but did not have enough service to become D-men). This change gave all men within a seniority section—even the most recently employed medical card holder—priority in hiring over anyone from another pier section. Another modification was the introduction of an additional step, borough hiring, after section hiring was completed. Employees were classified as A, B, C, etc., within one of the 17 seniority sections, generally along the lines of local union jurisdiction.

As a result of the parties' desire to retain the traditional informal seniority system of pier attachment, pier seniority is the primary factor in determining a man's regularity of employment. Only when work is not available at his pier does a man's industry seniority rating give him preference in employment at other piers.

union of the names of the headers he desires, the number of men each header is to secure, the name of the ship to be worked, its berth, and starting time. This information is posted on the local's bulletin board and at several locations in the city.

All men are hired an hour before starting time at "shapes" at the main union hall and at a smaller center operated by the union. The men assemble 5 or 10 minutes earlier. Each header has men whom he usually employs, although he is under no obligation to hire any particular person.

The gang header hires only the deckmen and holdmen. Dock personnel such as drivers, pilemen, and hookup men are hired by a separate foreman called a dockwalker. One walker is usually hired for each ship, although occasionally two ships or more may be worked by the same man if docked in adjoining areas. The walker, like the gang header, is a union member and he selects his men in the same fashion.

Warehousemen are hired at the pier by terminal headers or "strawbosses." These strawbosses are permanent employees of the warehouse operators and in most cases are not union members.

The superintendent of the terminal informs the strawbosses at the end of the working day how many men he is going to need the next day. The number may vary considerably. All of the bosses have men who work under them regularly, so that certain individuals are generally employed almost every day. If more men are needed, strawbosses generally try to obtain them through the union hall.

The men who have been notified to report, as well as extras who "follow" the warehouse, shape in front of the terminal 10 or 15 minutes before starting time. The headers first select their "regulars" from the group and then, if

more men are needed, choose from among the "followers."

Charleston

As in Jacksonville, each stevedore has one or more regular gang foremen, or "headers," who hire the men who work in gangs. Each header has a following and usually selects the same men to occupy certain key positions. The remaining positions are filled from among men available at the daily shapeup.

Headers in the Port of Charleston, all of whom are union members, are not guaranteed work by their principal employer. On days when their service is not required, they are free to work for other stevedores, either as header or as a gang member. Should a stevedoring company find it necessary to replace one of its regular headers, it consults with the union before making such selection and generally selects a man from the same following. Although there is no contractual provision regarding the distribution of work among headers, efforts are usually made to equalize gang assignments.

To start the hiring process, the stevedore calls the union hall before 5 p.m. to give the names of the headers required the next day, the starting time, and the work location. When a stevedore needs more gangs than he has regular headers, he usually tries to hire those of other firms who are available. The union posts the orders that have been received on a board at the union hall.

At the two in-town terminals, Union Pier and Columbus Street Wharf, hiring takes place at the terminal gate approximately 15 minutes before work is to start. Hiring for work at the North Charleston terminal takes place at an in-town location approximately an hour before starting time. At each of these shapeups, headers hire the longshore-

ment of longshoremen to specific piers or stevedoring companies; the central figure is the hiring foreman (in Boston sometimes called the stevedore). However, each hiring foreman has a following, so that the composition of at least one or two of his gangs varies little from day to day. The gang which the foreman hires first each day is generally assigned to the longest hatch.

Each of the stevedoring companies has at least one hiring foreman, who receives a 40-hour guarantee and as a rule is not required to perform any services when not handling a ship. When a hiring foreman retires or dies, the position is generally offered to the hatch boss of his number one gang.

The ordering of gangs is termed "posting the board." Each stevedoring company telephones officials of the three longshore locals to inform them who the hiring foremen will be, the number of gangs it will need, and the locations at which work is to be performed. Information on cargo is given only when it will affect the size of the gangs.

In local 799, upon receipt of an order, an official places the information on a tape, so that longshoremen can obtain it by telephoning a certain number. Locals 800 and 805 relay the orders to a number of waterfront locations where they are posted.

Union men assemble in front of one or more hiring stands at several locations grouped according to gang section (deck, dock, or hold). Union members are selected first, and only when no more union men are available does the foreman hire from the nonunion group.

Because of a union policy of restricting membership, the basic work force is clearly defined and receives preference in job opportunities. Union membership rolls are virtually closed, admission

being limited to the brother, son, or stepson of deceased members and to one new member each year. Each local has a lengthy waiting list.

The foreman is not required to take seniority into account in selecting his men. As a matter of practice, the men in each foreman's first and second gangs are the same from day to day, but the composition of extra gangs varies from one hiring to another. After gang hiring is concluded, replacements are selected for absent members of reordered gangs.

An important feature of the reordering process is that nonunion men do not automatically return with a gang when it is reordered, but must shape once again.

Gangs occasionally ignore orders to return and, instead, shape for work on a ship which promises more work. This practice is quite common on weekends, and occurs primarily among extra gangs. Men will leave their ships at 11 a.m. on Saturday to shape at 11:45 a.m. for another more lucrative job.

These problems are the inevitable result of a system which continues to be, basically, a daily shapeup at the pier head with no prior guarantee of a job.

Jacksonville

There are no regular gangs in Jacksonville. Each stevedore employs gang headers (foremen), who select the number of men ordered. If the workload calls for additional gangs, available headers of other employers are hired. As a matter of practice, the employers attempt to equalize the earnings of their regular headers. Usually headers who are not ordered by their regular employers are picked up as gang members by others.

All orders for men are placed with the union. Before the time limit, the stevedore calls the union hall to inform the

are attached to one of the stevedoring companies, hire the longshoremen they will need. As a long-established practice, foremen hire those men who are in their regular gang (some foremen carry two gangs). The foreman chooses replacements for absentees or waterboys, sack sewers, sweepers, or other additional men from the men assembled. In some cases, preference in hiring as replacements or extra men is given either to regular gang followers or to members of other unemployed gangs. If a worker leaves a regular gang, the foreman has wide discretion in replacing him. There is no obligation to hire a senior man.

Since the men look to their particular foreman for employment, they insist on maintaining rules which restrict reassignment of men from gang to gang or from hatch to hatch, unless they remain with the same foreman.

Inherent in the open shape at a central location is the elimination of absenteeism. Sufficient replacements are available every day, and the 1-hour delay between the shapeup and the start of work assures the employer a full gang.

There is one notable exception to the generally casual method of hiring in New Orleans. Several years ago, two fruit companies and the locals representing banana handlers established a register of employees grouped according to the regularity with which they had worked for the companies. Men on the regular list are hired first, then men on the extra list, and, finally, those who have worked only irregularly. If regularity is equal, seniority governs. If management and union representatives disagree on the status of an individual, the question is referred to a joint labor relations committee whose decision is binding.

Baltimore

Longshoremen are hired through union halls maintained by each local, the union supplying the gangs or men in accordance with the stevedores' orders. The contract provides that hiring preference shall be given to men with past experience in the port, but there is no formal seniority system.

As a rule, gangs are attached to a single employer and he has first call on their services. All company dealings with the gang are through the gang "carrier" (foreman), who generally has a group of 15 men who regularly work with him. He selects additional men when a cargo calls for a long gang (20 men plus the gang carrier).

A stevedore orders additional gangs through the union by the gang carrier's name. These are either unassigned regular gangs of other stevedores or floating gangs not specifically attached to any stevedore. The union tells the stevedore whether the requested gangs are available and, if not, provides a list of available gangs. If a stevedore needs additional regular gangs, he may request unattached gangs on a trial basis.

Before a new gang is formed, the man who wishes to become the gang carrier first seeks some assurance of employment from a stevedore and then clears with the union. It is likely that this informal control is to a considerable degree responsible for the stability that exists in the labor force. There is a management-union consensus that too many gangs would be detrimental. In recent years, relatively few new gangs have been established, and the number of gangs has been decreasing since the end of World War II.

Boston

There are no permanent gangs in Boston and no arrangements for attach-

procedure in the two ports is in the gang "toter" (foreman) system that exists in Galveston. Each toter has a following of four men and all gangs are assembled in units of five. Should an order call for 10 men, then the 2 toters lowest in earnings on the union lists are dispatched with their men. The toter "first out" would act as foreman for the entire gang. In the absence of a seniority or any other priority system, the toter is free to hire anyone he chooses.

Even though each toter may consistently hire the same four men, the gang consistently changes from day to day. Moreover, different toters become gang foremen each time a gang is assembled. Thus, the foremen tend to have little supervisory authority over the gang as a whole.

Mobile

Longshoremen are hired by the gang foremen, as required by the contract. Although the contract provides that longshoremen are to be hired on the basis of seniority and ability, there is no formal system to insure that senior men receive preference. Present hiring practices give full control of the selection of men to the foremen. Thus, with the exception of the foremen, who are selected by the employing stevedore, the allocation of work opportunities is accomplished in the hiring procedure at the union hall and under the control of the foremen.

When work is available, the company posts on a board in the union hall the name of the foreman, the time and location of the work, and the number of men needed. Hiring takes place at the union hall about an hour before the gang is to report at the ship. Ordinarily the foreman selects a cadre of experienced men who have worked with him, particularly for such key jobs as gangwayman or winchman. The men hired to fill out

the remainder of the gang often change from job to job. When work on the ship extends beyond 1 day, the same men do not report directly to the ship, but shape again each day.

Although the contract provides that work shall be equally divided among the regular gangs of each firm so as to equalize earnings as far as possible, this is not generally applied, and gangs are ordered on the basis of their productivity. This preference is particularly strong with respect to gangs skilled in handling certain types of cargo. Skilled gangs are assigned to handle such cargo, regardless of rotation and equalization procedures.

When a stevedore has more work than his own gangs can handle, he may request another stevedore's foreman, who is not working for his regular employer, to bring his gang to work for the day. In addition, foremen frequently shapeup as gangmen when they have no foreman assignment.

The 53 foremen in the port are veterans of many years in the industry; most have been foremen for 10 years or more. The selection of a new foreman, ordinarily necessary only when one retires or dies, is made by the stevedore with the concurrence of the union. The gangwayman or signalman in the same gang usually succeeds the foreman.

New Orleans

The only major port which still has an open shapeup is New Orleans. In that port, where a third of the men work less than 100 hours a year, there are no regular gangs or seniority preferences and men appear at the daily shapeup with no advance notice of the number who will be hired. At 7 a.m. and 5 p.m., every day, longshoremen report to a central hiring point to seek employment for that day.

At the shapeup, gang foremen, who



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