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## Introduction

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## INTRODUCTION

J. CARRINGTON GRAMLING, JR.\*

No more appropriate a milestone to mark the entry of this state into the field of labor law during the period of its maturity could have been selected than the publication of this Symposium. Less than a generation ago the problems herein dealt with not only did not exist but had not even been imagined; no interest could have been generated in this area before World War II except in the most basic and primitive legal problems. My experience indicates that recognition of the real bases of labor legislation had not come to the courts of this state. As I attempted to point out in an earlier article on this subject,<sup>1</sup> until recently it was fashionable for chancellors in Florida to sit in judgment on the validity of a strike in the same manner that they would weigh the granting or denying of any other injunctive relief. The lawyer had the difficult task of attempting to convert the inexperienced trial judge into a workingman in order to have him deny a permanent injunction against a strike called not for economic betterment but to secure safe and sanitary working conditions.

Mr. Kaplan's sensitive article on the reorganization of the hiring hall in order that it might fulfill its social utility without violating a rather sophisticated decision of the NLRB brings the realization that labor law has traveled a long way in Florida. The same can be said when one feels the full impact of each paragraph of Board Member Jenkins' description of the present eminence of the National Labor Relations Board. A few short years ago such an article would have been of as much interest to most Florida attorneys as a current one on liability arising from the improper disposal of nuclear waste or the mid-air collision of passenger-carrying rockets. Yet these too will be common problems in a few more years.

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<sup>1</sup>Gramling, *The Development of Florida Labor Law*, 7 *MIAMI L.Q.* 188 (1953).

One can sit back comfortably and read this Symposium with the full awareness that the material will fill a need for great knowledge on the part of the majority of attorneys in active practice. The Editorial Board of the *University of Florida Law Review* is to be commended for bringing it forth in an effort to fill this void.

What is the prospect for Florida in the labor field in the next few years? The Wagner Act and the amendments thereto effected by the Taft-Hartley Act were largely esoterica for the Florida lawyer. The Labor-Management Disclosure and Reporting Act of 1959, on the other hand, will be studied immediately in detail. As Mr. Jenkins' survey of the NLRB shows the evolution of its importance, so in a parallel fashion have labor legislation, labor's needs, and labor's problems evolved in importance in this state. No one can project the future with accuracy, but surveys show that the major metropolitan area running from Palm Beach to Homestead will contain not less than 6,000,000 people by 1969. This will increase the demand for industry of all kinds, which in turn will enlarge the types of labor needed to fill the demand. Each increase in the volume and value of Florida's industrial products will heighten labor's demands for a greater share in the prosperity that inevitably flows from greater industrialization. All of this will place more demands on the labor lawyer.

Two factors serve to further complicate the picture for the future labor law practitioner. The first is the ever-increasing influx into this state of retired or semi-retired people. They must be utilized; this means keeping them in the labor force but on terms that will not undermine the development of unionism. This will require true labor statesmanship. The other factor is even more important to the labor lawyer. The development of cheap jet and supersonic air travel (and air cargo) will truly make Florida the gateway to Latin America. This is a two-way street, however, for in order to trade, live, and vacation in Latin America we must be willing to help her develop. This means training young Latin Americans in the skills of union organization and democracy and also training labor leaders in Florida for international responsibilities. Labor statesmanship will come to be more important than the technical problems that are *now* on the horizon.

The technical problems that now face the attorney have been excellently dealt with in this Symposium. In addition to the articles already mentioned there are two that deal with the collective bargaining process, which Professor Delony correctly calls the "corner-

stone of industrial responsible self-government." Mr. Sinsheimer's article on the propriety of employer-employee conduct in election practices and Mr. Delony's on the element of good faith in bargaining are timely, thoroughly documented, and definite contributions toward achieving an increase in the knowledge available to The Florida Bar.

I am greatly heartened by the uniform excellence of the over-all plan for this Symposium as well as that of each individual contribution, and I would like to close this introduction by saying "Well done!" The coming generation will receive intellectual stimulus from it. Greatness depends on preparation for the problems and their solution, now only dimly envisioned, before they become cancers gnawing at the vitals of the continued existence of this country. The vitality of the entire free enterprise system — the modern people's capitalism — will be largely settled in these, the pioneer areas, of this nation. This country must be a beacon for the stragglers, a rallying point for the true democrats, and a barricade and wall of strength against those who would attack us from abroad. Last, but not least, this nation must lead in the all-important race to show that the system of free enterprise can produce the greatest happiness for the greatest number, with liberty and justice for all. This is the task. Particularly is it the task of the labor lawyer, who must strive to make this outpost to Latin America a model of labor-management harmony and a laboratory for sound social experimentation which will lead to that greater goal — the absolute guaranty to everyone of the equal opportunity to develop his talents and abilities regardless of race, religion, or social condition.