

Arbitration Award 02/16/1935

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ARBITRATION UNDER AWARD OF NATIONAL LONGSHOREMEN'S BOARD

February 16, 1935

M. C. SLOSS
Arbitrator for Pacific Coast Ports
on Basic Questions
1300, One Eleven Sutter
San Francisco, California

IN THE MATTER OF)
)
INTERPRETATION OF SECTION 3)
OF AWARD OF NATIONAL)
LONGSHOREMEN'S BOARD)
)
RELATING TO "DIFFERENTIALS").

AWARD OF ARBITRATOR FOR PACIFIC COAST PORTS

M.C. Sloss
Arbitrator for Pacific Coast Ports

In the Matter of)
)
INTERPRETATION OF SECTION 3)
OF AWARD OF NATIONAL)
LONGSHOREMEN'S BOARD)
)
RELATING TO "DIFFERENTIALS").

I. SCOPE OF PRESENT AWARD

The Labor Relations Committee of the Port of Aberdeen, commonly known as Grays Harbor, submitted to the arbitrator for decision a long series of questions.

Some of these questions are local rather than basic in character. Others have been the subject of negotiation between representatives of both parties, acting with a view to a coast-wide ruling.

The present award deals with questions 1, 2 and 3, specified in the letter of the Grays Harbor [sic] Labor Relations Committee to the arbitrator, dated December 26, 1934, and relate to the question of "differentials" or additions to the basic rate of pay provided in Section 3 of the Award of the National Longshoremen's Board.

A later award or awards will specify the questions which the arbitrator finds to be local and will decide those questions which are not covered by the present award and are not found to be local.

II. QUESTIONS DECIDED IN PRESENT AWARD

Questions 1, 2 and 3 in the letter of December 26, 1934 all involve the right of men to receive additional pay above the basic rate, either because of skill required in the particular service or because of the character or condition of the cargo handled.

The President of the Pacific Coast District of the International Longshoremen's Association and the representatives of the Waterfront Employers have stipulated and agreed upon the interpretation which should be placed upon the award of the National Longshoremen's Board with respect to the points raised in questions 1, 2 and 3. The arbitrator is of the opinion that the

interpretation so agreed upon is the correct interpretation of Section 3 of the Award of the National Longshoremen's Board, and makes this award accordingly.

III. DECISION AND AWARD

The arbitrator decides as follows:

Except with respect to the provisions in subdivisions (c), (d) and (e) of Section 3 of the Award of the National Longshoremen's Board allowing additional payments for handling specific penalty cargoes in certain ports, Section 3 of the Award of the National Longshoremen's Board means and provides that: Only those differentials above the basic wage, either for skill or because of the character or condition of the cargo, which were in effect in a given port prior to the making of the award of October 12, 1934, are required to be made in that port. The award requires that the employers add such pre-existing differentials to the new basic wage and compute them in the same manner as theretofore. No port is required by the award of October 12, 1934 to adopt either the differentials or the method of applying them which were in effect in another port. If longshoremen in any port seek a differential which does not at present exist in the port or seek to obtain a higher differential, these are matters to be negotiated through the Labor Relations Committee of the particular port.

(Signed) M.C. Sloss

Arbitrator for Pacific Coast Ports

Dated:

February 16, 1935.