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Abstract

Featherbedding is the t ned increment for work not done or uselessly performed. The worker has never denied that management is entitled to a day's work that taxes the limit of the worker's psychological and physiological energies short of ill health. Discussions of featherbedding, therefore, have been couched in the language of health and safety. A close analysis of the collective bargaining process, however, reveals a fundamental conflict between management and the worker over what the worker unconsciously regards as a prop erty right, namely, his job. The notion of a job as a property right has not yet been received as part of American mores. Analysis of the legislative and judicial treatments of feather bedding discloses the futility of such efforts. At the present time, severance payments are gaining currency for the jobs that are abolished. Such payments are regarded as consola tion money by the unions; they tend to be regarded by em ployers as blackmail to persuade the worker to relinquish what was not his in the first place. One proposed solution to the problem is the establishment of voluntary arbitration tribunals to define a concept in labor-management relations parallel to the concept of eminent domain in private real estate. Such tribunals would recognize the worker's property right to his job and would define the degree to which the worker could capitalize the loss of his earning opportunity. Social efficiency would thereby be freed of the burden of obsolete performances insisted upon by the worker who must protect his earning capacity.

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