

Arbitration

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SUBJECT(S): LABOR LAW

KEYWORD(S): VOLUNTARY ARBITRATION

The Article starts by taking notice of the fact that majority of the labor-management contract does not contain arbitration clauses and that the arbitration clause of those that contain one are expressed in general terms.

With this, the Author gives his proposition that private voluntary arbitration, if operated efficiently, can be the most superior means of grievance settlement. In furthering this proposition, the Author starts by explaining the nature of collective bargaining agreement and the specific character of the voluntary arbitration clause. After this, the Author examines some of the proposals for settlement of disputes that arise during the life of an agreement.

As a conclusion, the Author clarifies that despite voluntary arbitration being proposed as the most superior means of grievance settlement; such proposal must not be interpreted as ruling out the use of members of the Court or the Court to settle disputes. Nonetheless, he takes note of the gradual increase in reliance to private individuals as arbitrators.