

Railway Labor Act. In the Texas Supreme Court he obtained review in all five cases in which he had sought writ of error or habeas corpus and was victorious in each, thereby establishing several important doctrines in Texas labor law. In a Fifth Circuit U.S. Court of Appeals action he obtained reinstatement for a group of airline pilots with back-pay of approximately \$1,500,000, which at the time (1967) was the largest back-pay award ever issued in a single union discrimination case. His bar association and related activity included chairmanship of the Labor Law Section of the State Bar of Texas, chairmanships of three major committees of the Labor Law Section of the American Bar Association, and chairmanships of every annual Southwestern Legal Foundation Labor Law Institute from 1962 through 1973 (thus continuing his leadership of that institute after joining the SMU law faculty).

Since joining the SMU law faculty, Professor Morris has published numerous law review articles and other writings in the field of labor law and labor arbitration. His books include the first two editions of the standard treatise on the law of the National Labor Relations Act, *The Developing Labor Law: The Board, The Courts, and the National Labor Relations Act*, also *American Labor Policy: A Critical Appraisal of the National Labor Relation Act*, and most recently *The Blue Eagle at Work: Reclaiming Democratic Rights in the American Workplace*. He has been and continues to be a frequent speaker, lecturer, and presenter of scholarly papers on a variety of labor law subjects. His legal representations and pro bono activity in important court and NLRB proceedings have made major contributions to the shaping of American labor law, s first adoption of substantive rulemaking, application of the Weingarten rule to nonunion workplaces, and the seminal *Electromation* decision on employee committees. He initiated the rulemaking petition for a general notice-posting rule which the NLRB issued regarding rights and duties under the NLRA, and filed amicus briefs in the federal cases that followed that action. His recent activities have included representation of the Steelworkers Union in several NLRB actions regarding minority-union collective bargaining, all of which are based on the thesis of his book, *The Blue Eagle at Work*. That issue is alive but not yet settled.

Professor Morris has presided over and written awards in over 300 labor-management arbitration cases, many of which have been published. Since 1970 he has been a member of the National Academy of Arbitrators and has served on its Board of Governors and chaired several of its committees. In 1978 he was appointed by President Jimmy Carter to the Federal Service Impasses Panel and reappointed in 1979 as a charter member of that Panel under the newly enacted Federal Service Labor-Management Relations Act, a position in held for three additional years.

including law under the National Labor Relations Act, the Railway Labor Act, and Labor Arbitration; Administrative Law; Constitutional Law; Alternative Dispute Resolution; Evidence; and Civil Procedure. He regularly supervised an LLM labor law program that was especially attractive to many young foreign lawyers. He was a visiting professor at Monash

Employment History:

Professor of Law, Southern Methodist University, 1968-1991 (Professor Emeritus thereafter); Visiting Professor of Law, Southern Methodist University, 1966-1968; Visiting Professor, University of San Diego School of Law, Fall 1988, Spring 1987; Visiting Professor, Cornell University School of Industrial and Labor Relations and School of Law, 1977-79; Visiting Professor, Monash University (Melbourne, Australia) 1974; Lecturer in Labor Law (adjunct), Southern Methodist University 1964-66.

Labor Arbitrator (active from 1968 to 2006). Served on panels of Federal Mediation and Conciliation Service, American Arbitration Association, and various permanent collective bargaining contract panels (private sector and federal). Active experience in arbitration of private sector industrial relations disputes, both grievance and interest (under the Labor-Management Relations Act and the Railway Labor Act), and public sector grievance and interest disputes (federal, state, and municipal).

Appointed member of Federal Service Impasses Panel by President Jimmy Carter, February 1978; reappointed as charter appointee under Federal Service Labor-Management Relations Act, January 1979; served until December 1982.

Practicing attorney (Dallas, Texas) specializing in labor law from 1948-1966; Partner, Mullinax, Wells, Morris and Mauzy 1952-66; Associate, Mullinax and Wells, 1948-52.

Teaching Subject Areas:

Labor and Employment Law, including law under the National Labor Relations Act, Railway Labor Act (air line and railway labor law), State and Federal labor relations statutes, and Collective Bargaining and Arbitration; Administrative Law; Constitutional Law; Alternative Dispute Resolution; Civil Procedure; Evidence.

Education:

J.D. (LL.B.), Columbia University School of Law, 1948.
A.B., Temple University (Army Specialized Training Program) 1944.
Washington and Lee University (Army Specialized Training Program) 1943.
University of Chicago, 1942-43.
Rice University, 1940-42.

Professional Affiliations:

National Academy of Arbitrators (Board of Governors 1979-82, chairperson of various committees, including Law and Legislation, 1978-81, and Overseas

Correspondents, 1982-86; chairperson of Southwest Region, 1985-87); Labor and Employment Relations Association (also San Diego Chapter and member of Advisory Committee, 1993-94); American Bar Association Section of Labor and Employment Relations Law (Editor-in-Chief, DEVELOPING LABOR LAW, 1st and 2nd editions, and co-chairman of various committees); International Labor and Employee Relations Association; Labor Law Group; International Society of Labor Law and Social Security; State Bar of Texas; National Advisory Board, Berkley Journal of Employment and Labor Law.

NATIONAL LABOR RELATIONS ACT, Editor-in-Chief and principal author, BNA Books, Inc., 1971. (First edition of treatise noted above.)

Journal Articles:

A “Tale of Two Statutes” Redux: Anti-Union Discharges Under the NLRA and RLA, with a Solution, publication pending (2019).

Freeing the Captives: How Captive-Audience Meetings Under the NLRB Can be Controlled, 69 AMERICAN UNIVERSITY S ADMINISTRATIVE LAW REVIEW 869 (2017).

Undercutting Linden Lumber: How a Union can Achieve Majority Status Collective-Bargaining Without an Election, lead article 35 HOFSTRA S LABOR & EMPLOYMENT LAW JOURNAL 1 (2017).

Notice-Posting of Employee Rights: NLRB Rulemaking and the Upcoming Backfire, 4) 67 RUTGERS LAW REVIEW, issue 6, spring 2015 (publication pending).

How the National Labor Relations Act was Stolen and How it can be Recovered: Taft-Hartley Revisionism and the National Labor Relations Board’s *Appointment Process*, 33 BERKELEY JOURNAL OF EMPLOYMENT AND LABOR LAW 1 (2012).

The Congressional Policy of the National Labor Relations Act: Revisionism Exposed, 60 LABOR LAW JOURNAL 35 (2009).

Back to the Future: Reviving Minority-Union Collective Bargaining Under the National Labor Relations Act, 57 LABOR LAW JOURNAL 61 (Summer 2006).

Minority Union Collective Bargaining: A Commentary on John True’s *Review Essay on the Blue Eagle at Work*, and a Reply to Skeptics Regarding Members-Only Bargaining Under the NLRA, 27 BERKELEY JOURNAL OF EMPLOYMENT AND LABOR LAW 179 (2006).

Pemberton Lecture: *Collective Rights as Human Rights: Fulfilling Senator Wagner’s Promise of Democracy in the Workplace—The Blue Eagle Can Fly Again*, 39 UNIVERSITY OF SAN FRANCISCO LAW REVIEW 701 (2005).

Deterring 8(a)(3) Discharges with 10(j) Injunctions: Professor Morris’ Comments on the Katz et al Commentary, 4 EMPLOYEE RIGHTS & EMPLOYMENT POLICY JOURNAL 75 (2000).

A Tale of Two Statutes: Discrimination for Union Activity Under the NLRA and RLA, 2 EMPLOYEE RIGHTS & EMPLOYMENT POLICY JOURNAL 317 (1999).

A Dialogue with the Chairman of the Labor Board: Challenging Conventional Wisdom on the Impact of Current Law on Alternative Forms of Employee Representation, 15 HOFSTRA LABOR LAW JOURNAL 319 (1998).

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NLRB Rulemaking: Promise and Prospects, in INDUSTRIAL RELATIONS RESEARCH ASSOCIATION SERIES, Proceedings of 42nd Annual Meeting, 1989, 210 (also

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UNIVERSITY INSTITUTE OF LABOR RELATIONS 27 (1972).

The Need for New and Coherent Regulatory Mechanisms, in R. Rowan ed.,
42 (1972).

Comment, The Role of Arbitration in State and National Labor Policy, in C. Somers & B. Dennis eds., ARBITRATION AND THE PUBLIC INTEREST 65 (24th Annual Meeting, National Academy of Arbitrators) (1972).

Procedural Reform in Labor Law—A Preliminary Paper in LABOR LAW DEVELOPMENTS 1971, 351 (1971).

Miscellaneous Publications

How an American Industrialist Helped Unions Organize and its Message for Today, 56 Daily Labor Report (BNA), March 25, 2009, Full Text Section A-6.

Petition to National Labor Relations Board for Weingarten-Like Rights in the Nonunion Workplace (joined by Professors Joseph R. Grodin, Clyde W. Summers, & Ellen J. Dannin), DAILY LABOR REPORT (BNA), Nov. 25, 1996, Full Text Section E-3.

Section 8(a)(2) and the Perception of Reality, Industrial Relations Research Association DIALOGUES, February 1995, p. 3.

Recommendations of Professor Charles J. Morris to the Commission on the Future of Worker-Management Relations, DAILY LABOR REPORT (BNA), Jan. 10, 1994, Full Text Section E-1.

Renaissance at the NLRB - Opportunity and Prospect for Non-Legislative Procedural Reform at the Labor Board,

linterkote Co. & International Woodworkers of America, Local 5-50, 53 BNA Labor Arbitration Reports 731 (1970); also in 70-1 CCH Labor Arbitration Awards ¶ 8050 (1970).

General Tel. Co. of Southwest & Communication Workers of America, 58 BNA Labor Arbitration Reports 409 (1972); also in 72-1 CCH Labor Arbitration Awards ¶ 8031 (1972).

South Central Bell Telephone Co. & Communication Workers of America 79-2 CCH Labor Arbitration Awards ¶ 8363 (1979).

South Central Bell Telephone Co. & Communication Workers of America, 72 BNA Labor Arbitration Reports 333 (1979).

Keebler Co. & Bakery, Confectionery & Tobacco Workers' Int'l Union, Local 434, 75 BNA Labor Arbitration Reports 975 (1981).

Dept.

Workshop panel presentation: Representing Workers Without Majority Union Status: Why Not? Why Now?, Labor and Employment Relations Association 59th Annual Meeting, Chicago, January 5, 2007.

Lecture: Section 7 Rights Under the NLRA: California Western School of Law, San Diego, September 12, 2006.

Speech: Minority Union Collective Bargaining: Employment Relations Center, San Diego, California, August 28, 2006.

Lecture & Workshops: Members-only Organizing and Bargaining in the Electrical Industry, Sixth District IBEW Organizing Conference, Willowbrook, Illinois, July 27, 2006.

Lecture: Back to the Future: Reviving Minority-Union Collective Bargaining under the National Labor Relations Act, sponsored by UCLA School of Law and UCLA Institute of Industrial Relations, Los Angeles, April 11, 2006.

Lecture: Minority-Union Collective Bargaining Under the National Labor Relations Act: Debunking Conventional Wisdom, Dedman School of Law, Southern Methodist University, Dallas, March 8, 2006.

Speech: *Can Less be More? "Members Only" Bargaining* in the Modern Workplace, annual conference of Labor & Employment Law Section of the Bar Association of San Francisco, Yosemite, California, February 25, 2006.

Symposium presentation and workshop: Organizing and Bargaining for Union Members Only, conference sponsored by Mid-Atlantic Regional Council of Carpenters, West Virginia District, Morgantown, West Virginia, November 8, 2005.

Featured speaker: Members-Only Collective Bargaining conference sponsored by University of Hawaii and Federal Labor Agencies, Honolulu, August 3, 2005.

Radio interview: The Blue Eagle at Work, Wendy Wilde Show, Air America Minnesota, AM 950, July 29, 2005.

Lecture: Protected Union Organizing and Bargaining Under the NLRA, United Steelworkers Extension Class, Macalester College, St. Paul, MN, July 28, 2005.

Speech: Members-Only Organizing Under the Blue Eagle, AFL-Table, St. Paul, MN, July 27, 2005.

Speech: Review of The Blue Eagle at Work: Reclaiming Democratic Rights in the American Workplace, Labor Speakers Club, St. Paul, Minnesota, July 25, 2005.

Keynote speech and workshop presentation: Members-Only Bargaining in the Electrical Industry, IBEW Fourth District Progress Conference, Stonewall Resort, Roanoke, West Virginia, June 28-29, 2005.

Speech and workshop presentation: Members-Only Organizing and Bargaining, 32nd Constitutional Convention of United Steelworkers of America, Las Vegas, April 10, 2005.

Faculty/Graduate Seminar: The Blue Eagle at Work, Cornell School of Industrial & Labor Relations, Ithaca, New York, April 4, 2005.

Two guest lectures: Non-Majority Collective Bargaining, in Basic Labor Law course, and

from the Past, Industrial Relations Research Association 56th Annual Meeting, San Diego, January 4, 2004.

Symposium presentation: The Rebirth of Members-Only Collective and its Implication for Labor Arbitration, National Academy of Arbitrators 16th Region Conference, Catalina, California, March 2003.

Paper: Returning Members-Only Collective Bargaining to the American Workplace, Industrial Relations Research Association 55th Annual Meeting, Washington, D.C., January 3, 2003.

Paper: Members Only Collective Bargaining: A Back-To-Basics Approach to Union Organizing, AFL-CIO and Michigan State University Workers Rights Conference, East Lansing, Michigan, October 11, 2002.

Keynote address: Union-Only Collective Bargaining, 4th Annual Oklahoma Labor/Management Conference, Shangri-La Resort, Afton, OK, June 12, 2002.

Speech,

Railway Labor Act Provide a Viable Model Under Section (10j) of the National Labor Relations Act?, Industrial Relations Research Association Policy Conference on National Strategies for Employment Policy, Washington, D.C., June 18, 1999.

Panel presentation: Future3 g 0 G [(Nat)-3(ion)-5(a)-3(l)10(S)-2(tra)-2(te)-5(g)6(ies)6(fo)-5(r)11(E)-

by The Manufacturing Institute, Div. Institute for International Research, Las Vegas,
May 22, 1996.

Paper:

Two luncheon speeches: Renaissance at the NLRB: The Golden Opportunity for Non-legislative Procedural Reform at the Labor Board and its Impact on the Legal Profession—Part II, California State Bar Labor and Employment Law Spring Program, San Francisco, May 28, 1993.

Luncheon speech: Renaissance at the NLRB: The Golden Opportunity for Non-legislative Procedural Reform at the Labor Board and its Impact on the Legal Profession--Part I, California State Bar Labor and Employment Law Spring Program, Los Angeles, May 21, 1993.

Workshop presentation: Preparation for Grievance Meeting/Grievance Procedure, Labor Seminar of Sheet Metal and Air Conditioning Contractors of America, sponsored by American Arbitration Association, San Diego, February 22, 1993.

Dinner speech: The Pendulum Swings: The Prospect for Changes in Employee

Seminar of

Keynote Address: Bankruptcy and the Duty to Bargain under the National Labor Relations Act, Annual Dinner, Minnesota Labor Law Section, Minneapolis, December 13, 1983.

Four short course lectures: The Law of the National Labor Relations Act, (with Judge Harry Edwards, U.S. Court of Appeals for D.C. Circuit and Professor Douglas Leslie, University of Virginia School of Law), Dallas, December 5-9, 1983.

Speech: How Arbitrators Decide Discipline and Discharge cases, American Arbitration Association and Texas Municipal Personnel Association, Dallas, August 25, 1983.

Speech: The American Industrial Relations System, Dallas-Fort Worth Chapter, Planning Executives Institute, Dallas, March 10, 1983.

Presentation: Electromation—a Garden Variety 8(a)(2) Case, 19th Annual Labor and Employment Law Institute, Minneapolis, November 20, 1982.

Presentation: Relationship between NLRB Jurisdiction and Arbitration: What to do in a Spielberg or Collierized case, Southwest Regional Meeting National Academy of Arbitrators, Brownsville, Texas, October 24, 1982.

Panel moderator: Law and Dispute Resolution, 10th International Conference of Society of Professionals in Dispute Resolution, Detroit, October 18, 1982.

Speech: *What's Wrong with the N.L.R.B?*, North Texas Chapter Industrial Relations Research Association, Dallas, March 11, 1982.

Speech: *What's Wrong with the N.L.R.B?*, Texas Building and Construction Trades Council AFL-CIO 8th Seminar, Austin, Texas, February 20, 1982.

Lecture: Labor Arbitration, S.M.U. Law School Seminar on Labor Relations Practice and Procedure, Dallas, October 22, 1981.

Workshop presentation: Labor Law for Federal Unions, Texas AFL-CIO Convention, Austin, Texas, July 24, 1981.

Presentation: Impasse, Trauma or Triumph, Advanced Bargaining Seminar of the Department of the Air Force, Lackland Air Force Base, San Antonio, June 4, 1981.

Presentation: Assortment of Settlement Tools, National Symposium of Society of Federal Labor Relations Professionals, Arlington, Texas, March 26, 1981.

Presentation: A Potpourri of Recent NLRA Cases, 11th Annual Louisiana Labor Relations Seminar of Louisiana State Bar Association, New Orleans, April 3, 1981.

Speech: Current Trends in Labor Law: a Summation, Labor Law Focus: 1981, Labor Law Section of State Bar of Texas, Brownsville, Texas, March 28, 1981.

Panel moderator: Creating an Adequate Record Without a Reporter, Southwest Regional Conference, National Academy of Arbitrators, Houston, March 20, 1981.

Presentation: New Approaches to Resolving Impasses: How Are They Working? Faculty Forum, S.M.U. Law School, November 11, 1980.

Presentation: Twenty Years of Trilogy: A Cerebration, 33rd Annual Meeting of National Academy of Arbitrators, Los Angeles, June 13, 1980.

Keynote address: *Interest Arbitration: Panacea's Art or Pandora's Box*, Conference on Interest Arbitration, Continuing Legal Education Society of British Columbia, Vancouver, April 15, 1980.

Speech: Scope and Role of Public Unions in Texas, Public Employees Seminar, Texas AFL-CIO, Austin, Texas, March 28, 1980.

Speech: Establishment and Application of Past Practice in Arbitration Cases, American Arbitration Association Labor Management Conference, Dallas, March 27, 1980.
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Presentation: New Techniques in Impasse Resolu31 in ImpmpA(e)-3(l)6(a)-360 g 0 G [(P)-7e.54 674

Presentation: Resolving Collective Bargaining Impasses: Strikes, Binding Arbitration, Etc., Fall Conference of National Association of Teacher Attorneys, San Diego, November 17, 1977.

Paper: The Deterrent Effect of Quick, Certain and Strong Remedies on Unfair Labor Practices under the LMRA, Groat Conference, sponsored by New York State School of Industrial & Labor Relations of Cornell University, Washington, D.C., November 9, 1977.

Lecture: Arbitration, Public Sector Bargaining, Texas AFL-CIO Advanced Labor Law School, Austin, June 24, 1977.

Presentation: Collective Bargaining Remedies, Current Developments in Labor Law, State Bar of Texas Labor Law Section, May 20, 1977.

Speech: Arbitration and the Duty of Fair Representation, Industrial Relations Research Association, Houston Chapter, Houston, May 19, 1977.

Keynote address: New Techniques in Labor Dispute Settlement, Conference on Labor Dispute Settlement, George Meany Center for Labor Studies, Bethesda, Maryland, April 13, 1977.

Speech: *An Outsider's Affectionate View of Labour Trends in Canada: A Comparison of Developments on Both Sides of the Border, The Direction of Labour Policy in Canada*, 25th Annual Conference, Industrial Relations Centre, McGill University, Montreal, March 31, 1977.

Presentation: Recent Developments in Labor Relations Law in the 5th Circuit, 7th Annual Louisiana Bar Association Labor Relations Seminar with Tulane University School of Law, New Orleans, March 4, 1977.

Presentation: An Overview of Recent Labor Law Developments, Developing Labor Law Conference, Labor Law Section of American Bar Association, Washington, D.C., March 1, 1977.

Keynote address: Conventional Wisdom and Conventional Remedies: A Fresh Look at the Functions of the NLRB and the Courts in the Collective Bargaining Process, Mid-Winter Meeting of ABA Labor Law Section Committee on the Development of the Law under the NLRA, Barbados, West Indies, February 8

Luncheon address: The Legality of Public Sector Labor Relations Agreements in Texas, SMU Law School Symposium on Public Employee Labor Relations, November 12, 1976.

Panel presentation: Arbitration re i:2952 792-Tf 1 0 0 1 172.22 660.94 Tm 0 g 0 G [(:)] TJ ET Q d

Four lectures: Short Course on Labor Law, Southwestern Legal Foundation, Dallas, Dallas, June 16-21, 1969.

Lecture: Labor Legislation for the Airlines: A Critique, Symposium on Air Transport

Written Statement Regarding Teamwork for Employees and Managers Act (HR 743), to