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November 13, 1932

Miss Ida M. Tarbell
120 E. 19th Street
New York, N. Y.

My dear Miss Tarbell:

I was away in Chicago arbitrating a railway labor dispute when your letter came asking for pictures to be sent to the Cosmopolitan Magazine. The pictures were sent as requested, and I think you were informed promptly that it was done.

This is just my apology for not answering your letter myself. The arbitration case in Chicago has been running for three weeks, and I must be back there again Monday to continue the proceedings. I have been unable to attend to any of my correspondence myself since I have been on this case.

One of the questions I have to decide may amuse you. The railroad company has a rule in its agreement with the Brotherhood of Railway Clerks permitting clerks to take leaves of absence for not more than sixty days without losing their seniority rights to their jobs. Only in cases of illness may they have leaves of absence for more than sixty days.

A married woman who worked as a billing clerk asked for a leave of absence for more than sixty days because she was going to have a baby. The company refused to grant the leave on the ground that having a baby "is natural and therefore not sickness within the meaning of the leave of absence rule."

What ought an arbitrator rule in a case like this? My wife who has had seven babies says, "It is sickness all right." But is it permissible to use exparte testimony like that?

With kindest personal regards,

Sincerely yours,

Wm. M. Leiserson
Wm. M. Leiserson *WML*