courts without the danger of a conflict between state and federal law.[106] The Court subsequently narrowed the interpretation of this ruling by holding in two cases that members who alleged union interference with their existing or prospective employment relations could not sue for damages but must file unfair labor practice charges with the NLRB.[107] *Gonzales* was said to be limited to "purely internal union matters."[108] Finally, *Gonzales*, was abandoned in a five-to-four decision in which the Court held that a person who alleged that his union had misinterpreted its constitution and its collective bargaining agreement with the individual's employer in expelling him from the union and causing him to be discharged from his employment because he was late paying his dues had to pursue his federal remedies.[109] Justice Harlan wrote for the Court that, although it was not likely that, in *Gonzales*, a state court resolution of the scope of duty owed the member by the union would implicate principles of federal law, state court resolution in this case involved an interpretation of the contract's union security clause, a matter on which federal regulation is extensive.[110]

One other exception has been based, like the violence cases, on the assumption that it concerns areas traditionally left to local law into which Congress would not want to intrude. In *Linn v. Plant Guard Workers*,[111] the Court permitted a state court adjudication of a defamation action arising out of a labor dispute. And, in *Letter Carriers v. Austin*,[112] the Court held that federal law preempts state defamation laws in the context of labor disputes to the extent that the state seeks to make actionable defamatory statements in labor disputes published without knowledge of their falsity or in reckless disregard of truth or falsity.

However, a state tort action for the intentional infliction of emotional distress occasioned through an alleged campaign of personal abuse and harassment of a member of the union by the union and its officials was held not preempted by federal labor law. Federal law was not directed to the "outrageous conduct" alleged, and NLRB resolution of the dispute would neither touch upon the claim of emotional distress and physical injury nor award the plaintiff any com-

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[106] International Ass'n of Machinists v. Gonzales, 356 U.S. 617 (1958).

[107] Journeymen & Plumbers' Union 100 v. Borden, 373 U.S. 690 (1963); Iron Workers Local 207 v. Perko, 373 U.S. 701 (1963). Applying *Perko*, the Court held that a state court action by a supervisor alleging union interference with his contractual relationship with his employer is preempted by the NLRA. Local 926, Int'l Union of Operating Engineers v. Jones, 460 U.S. 669 (1983).

[108] 373 U.S. at 697 (*Borden*), and 705 (*Perko*).

[109] Amalgamated Ass'n of Street Employees v. Lockridge, 403 U.S. 274 (1971).

[110] 403 U.S. at 296.

[111] 383 U.S. 53 (1966).

[112] 418 U.S. 264 (1974).