

## C. Class Based Issues

### 1. Labor Union Aims

#### a) Early unions

- (i) The origins of the labor movement lay in, when a free wage-labor market emerged in the artisan trades late in the colonial period.
- (ii) The earliest recorded strike occurred in 1768 when New York journeymen tailors protested a wage reduction.
- (iii) The formation of the Federal Society of Journeymen Cordwainers in Philadelphia in 1794 marks the beginning of sustained trade union organization among American workers.
- (iv) From that time on, local craft unions proliferated in the cities, publishing lists of “prices” for their work, defending their trades against diluted and cheap labor, and, increasingly, demanding a shorter workday.
- (v) Thus a job-conscious orientation was quick to emerge, and in its wake there followed the key structural elements characterizing American trade unionism
- (vi) First, beginning with the formation in 1827 of the Mechanics’ Union of Trade Associations in Philadelphia, central labor bodies uniting craft unions within a single city.
- (vii) Then, with the creation of the International Typographical Union in 1852, national unions bringing together local unions of the same trade from across the United States and Canada.
- (viii) Although the factory system was springing up during these years, industrial workers played little part in the early trade union development. In the nineteenth century, trade unionism was mainly a movement of skilled workers.
- (ix) The early labor movement was, however, inspired by more than the immediate job interest of its craft members. It harbored a conception of the just society, deriving from the Ricardian labor theory of value and from the republican ideals of the American Revolution, which fostered social equality, celebrated honest labor, and relied on an independent, virtuous citizenship.
- (x) The transforming economic changes of industrial capitalism ran counter to labor’s vision. The result, as early labor leaders saw it, was to raise up “two distinct classes, the rich and the poor.”

- (xi) Beginning with the workingmen's parties of the 1830s, the advocates of equal rights mounted a series of reform efforts that spanned the nineteenth century.

b) Nation Labor Union and Knights of Labor

- (i) National Labor Union (NLU) was a political-action movement that from 1866 to 1873 that sought to improve working conditions through legislative reform rather than just through collective bargaining.
- (ii) The NLU began in 1866 with a convention in Baltimore which was called to organize skilled and unskilled laborers, farmers, and reformers into a coalition that would pressure Congress to pass a law limiting the workday to eight hours.
- (iii) Seventy-seven delegates attended the convention, and during its brief existence the National Labor Union may have had as many as 500,000 members.
- (iv) Acting on the belief that owners and workers shared identical interests, the NLU was opposed to strikes. It instead relied increasingly on political action to meet its goals and in 1872 transformed itself into the National Labor Reform Party.
- (v) The party made a poor showing at the polls. After holding one last convention in 1873, the National Labor Union collapsed and disappeared. Many joining its contemporary, The Knights of Labor.
- (vi) Knights of Labor (KOL), the first important national labor organization in the United States, was founded in 1869. It originated as a secret organization meant to protect its members from employer retaliations. Secrecy also gave the organization an emotional appeal.
- (vii) Based on a belief in the unity of interest of all producing groups it proposed a system of worker cooperatives to replace capitalism.
- (viii) Membership in the Knights grew after the railway strike in 1877, reaching a peak of 700,000 in 1886. At that time the Knights were the most dominant labor organization in the United States.
- (ix) The KOL's influence declined sharply after 1886—a year marked by 1,600 strikes (many of them violent) and the deadly Haymarket Riot in Chicago.

- (x) The resulting backlash against unionism, along with the dissatisfaction of many KOL members, led to the union's demise and fostered the establishment of the American Federation of Labor (AFL) in December 1886.

c) American Federation of Labor 1886 collective bargaining

- (i) Founded in 1881, the Federation of Organized Trades was the precursor of the American Federation of Labor which, late in the 19th century, replaced the Knights of Labor (KOL) as the most powerful industrial union of the era.
- (ii) In seeking to absorb the existing craft unions, the KOL had reduced their autonomy and involved them in social and political disputes that did not represent the unions' own direct interests.
- (iii) Consequently, the craft unions revolted.
- (iv) In 1886, under the leadership of Samuel Gompers, they organized themselves as the AFL, a loose federation that remained for half a century the sole unifying agency of the American labor movement.
- (v) In its beginnings, the American Federation of Labor was dedicated to the principles of craft unionism. Its approximately 100 national and international unions retained full autonomy over their own affairs.
- (vi) In return, each union received "exclusive jurisdiction" over a craft. Although this provoked some bitter jurisdictional disputes between unions affiliated with the federation, union membership still grew.
- (vii) The AFL, unlike the KOL, did not focus on national political issues. Instead, it concentrated on gaining the right to bargain collectively for wages, benefits, hours, and working conditions.
- (viii) The 1920s marked the first period of economic prosperity that lacked a parallel expansion of unionism.
- (ix) During the Great Depression and into the early 1930s, growth in union enrollments slowed. The administration of Pres. Franklin D. Roosevelt, however, brought new opportunities for labor.

d) Industrial Workers of the World 1905 (Wobblies)

- (i) Industrial Workers of the World (IWW), byname Wobblies, were a labor organization founded in Chicago in 1905 by representatives of 43 groups.

- (ii) The IWW opposed the American Federation of Labor's acceptance of capitalism and its refusal to include unskilled workers in craft unions.
- (iii) Founders included William D. ("Big Bill") Haywood of the Western Federation of Miners (WFM), Daniel De Leon of the Socialist Labor Party, and Eugene V. Debs of the Socialist Party. However, Debs withdrew his support as the group grew more radical.
- (iv) Prior to the founding of the IWW, members of the WFM had called a series of strikes in Cripple Creek, Colorado (1894), Leadville, Colorado (1896), Coeur d'Alene, Idaho (1899), and Telluride, Colorado (1903). The Cripple Creek strike was halted by state militia in 1904, which prompted the WFM to form the first incarnation of the IWW.
- (v) Under Haywood's leadership, the IWW gained greater prominence as a revolutionary organization dedicated to controlling the means of production by the workers. Its tactics often led to arrests and sensational publicity; when IWW organizer Joe Hill was executed in 1915 on a disputed murder charge, he became a martyr and folk hero for the labor movement.
- (vi) The organization won its greatest victories in the mining and lumbering industries of the Pacific Northwest.
- (vii) The IWW was the only labor organization to oppose U.S. participation in World War I, which IWW leaders protested by attempting to limit copper production in western states.
- (viii) The federal government responded by prosecuting and convicting some of those leaders under the newly enacted Sabotage and Espionage Acts.
- (ix) In the postwar years, the IWW underwent further scrutiny and prosecution by local officials responding to widespread antiradical sentiments. By 1925 membership in the IWW had dwindled to insignificance.

e) Yellow Dog contracts and reactions

- (i) Yellow-dog contract was an agreement between an employer and an employee in which the employee agrees, as a condition of employment, not to join a union during the course of his employment.
- (ii) Such contracts, used most widely in the United States in the 1920s, enabled employers to take legal action against union organizers for encouraging workers to break these contracts.

- (iii) A federal law prohibiting the use of yellow-dog contracts on the railroads (Erdman Act of 1898) was struck down by the Supreme Court as an unconstitutional infringement upon the freedom of contract (*Adair v. The United States*, 1908).
- (iv) In 1932, in accordance with the new philosophy that the government should not interfere with workers' right to organize, the Norris-LaGuardia Act made yellow-dog contracts unenforceable in the federal courts.

f) **Strikers and Strikes**

- (i) A Strike is a collective refusal by employees to work under the conditions required by employers.
- (ii) Strikes arise for a number of reasons, though principally in response to economic conditions or labor practices. Other strikes can stem from sympathy with other striking unions or from jurisdictional disputes between two unions.
- (iii) Illegal strikes include sit-down strikes, wildcat strikes, and partial strikes (such as slowdowns or sick-ins). Strikes may also be called for purely political reasons.
- (iv) In most industrialized countries, the right to strike is granted in principle to private-sector workers. Some countries, however, require that specific efforts toward settlement be made before a strike can be called, while other countries forbid purely political strikes or strikes by public employees.
- (v) Most strikes and threats of strikes are intended to inflict a cost on the employer for failing to agree to specific wages, benefits, or other conditions demanded by the union.
- (vi) Strikes not authorized by the central union body may be directed against the union leadership as well as the employer.
- (vii) The decision to call a strike does not come easily, because union workers risk a loss of income for long periods of time. They also risk the permanent loss of their jobs, especially when replacement workers hired to continue operations during the strike stay on as permanent employees.
- (viii) During the early years of Labor Law Reform, Strikers also risked bodily harm as bosses would often hire enforcers to attack strikers or even those contemplating striking or joining a union.

g) **Wagner Act 1935**

- (i) Officially known as The National Labor Relations Act (1935), The Wagner act was the single most-important piece of labor legislation enacted in the United States in the 20th century.
  - (ii) Its main purpose was to establish the legal right of most workers to organize or join labor unions and to bargain collectively with their employers.
  - (iii) Sponsored by Democratic Sen. Robert F. Wagner of New York, the Wagner Act established the federal government as the regulator and ultimate arbiter of labor relations.
  - (iv) It set up a permanent National Labor Relations Board (NLRB) with the power to hear and resolve labor disputes through quasi-judicial proceedings.
  - (v) Specifically, the NLRB was empowered to decide, when petitioned by employees, if an appropriate bargaining unit of employees existed for collective bargaining; to conduct secret-ballot elections in which the employees in a business or industry could decide whether to be represented by labor unions; and to prevent or correct unfair labor practices by employers and unions.
  - (vi) In addition, it prohibited employers from engaging in such unfair labor practices as setting up a company union and firing or otherwise discriminating against workers who organized or joined unions.
  - (vii) The act also barred employers from refusing to bargain with any such union that had been certified by the NLRB as being the choice of a majority of employees.
  - (viii) The Wagner Act was challenged in court as a violation of the “freedom of contract” of employers and employees and as an unconstitutional intrusion by the federal government in industries that were not directly engaged in interstate commerce, which Congress was empowered to regulate under the commerce clause (Article I, section 8).
  - (ix) The U.S. Supreme Court eventually upheld (5–4) the constitutionality of the Wagner Act in *National Labor Relations Board v. Jones & Laughlin Steel Corp.* (1937).
- h) New Labor Legislation and increased Union Membership
- (i) With the onset of the Great Depression in 1929, the balance of forces in the United States shifted dramatically.

- (ii) To begin with, national politics became more favorable to organized labor. Partly for ideological reasons, partly because of labor's increasing influence on the Democratic Party, Franklin Roosevelt's New Deal proved much more responsive to trade-union demands than had the Republican administrations of the post-World War I era.
- (iii) These rights were asserted in principle under Section 7(a) of the National Industrial Recovery Act (NIRA) of 1933 and then made thoroughly effective by passage of the National Labor Relations Act in 1935 (Wagner Act).
- (iv) American employers lost the enormous power advantages they had enjoyed in the struggle over collective bargaining.
- (v) Under the Wagner Act, collective bargaining remained "free"—that is, the terms of agreements were not to be mandated by the state—but the framework itself came securely under the aegis of state regulation.
- (vi) At the same time, the New Deal moved to mitigate the market pressures that had driven the anti-unionism of American employers.
- (vii) The NIRA legislation, through codes of fair competition, was designed to enable industries to cartelize their depression-ridden markets. The exchange was entirely deliberate—granting representational rights to workers as a price for granting market controls to industry.
- (viii) As the basis of New Deal economic policy, this attempt at industrial stabilization lasted only two years, but the underlying linkage of labor rights and market benefits survived invalidation of the NIRA by the Supreme Court in 1935.
- (ix) The Wagner Act contained an explicit economic rationale: collective bargaining would generate the mass purchasing power essential for sustained economic growth.
- (x) As more and more Labor Law Reform happened, anti-union sentiment around the country also fell to the wayside.