

# The History of Unions in the US

## Class 4:

### World War II to the Present

Jim Dunphy  
dunphyjj@aol.com

# Overture

*Which Side are You On?*

[https://www.youtube.com/watch?v=yK0\\_6a\\_zF-Y](https://www.youtube.com/watch?v=yK0_6a_zF-Y)

# Background

- Unions became a vital part of the New Deal coalition
- During World War II, unions agreed to:
  - No strike
  - Wage/price controls

# Background

- After the War, many changes
  - Truman, not FDR President
  - Pressure for increased wages
  - Servicemen returning and looking for work

# Background

- 1946 election GOP picks up
  - 12 Senate seats
  - 55 House seats
- Democrats lose control of both houses – which they held since 1931.

# Taft Hartley Act

**Sen Robert Taft**

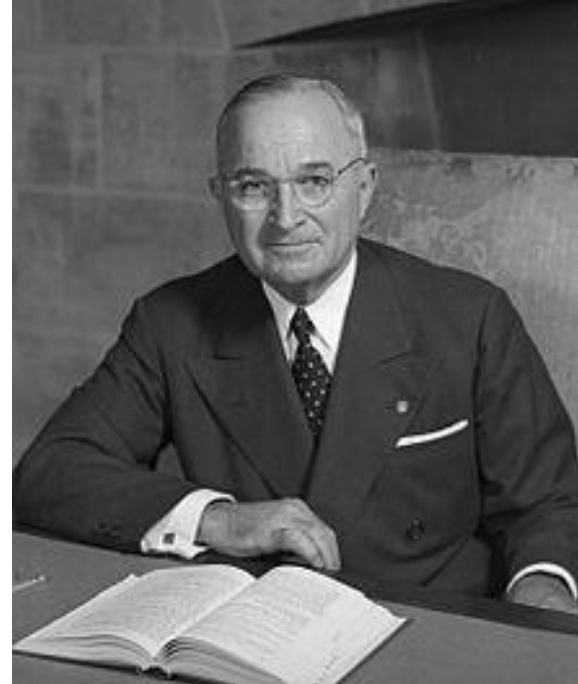


**Rep Fred Hartley**



## Taft Hartley Act

- Passed the House 308-107 in April 1947, and the Senate 68-25 in May 1947
- President Truman vetoed the bill in June 1947
- To no surprise, given the vote to pass the bill, the veto was overturned.



# Taft Hartley Act

- Secondary boycotts and jurisdictional strikes were made illegal
- So was the closed shop (buncha shops)
- Employers did not, as they did under the Wagner Act, have to remain neutral in union elections, but could not intimidate
- Unions had to certify leaders were not Communists
- State or Federal Government could obtain injunctions against strikes if the strikes imperiled national health or safety



# Taft Hartley Act

- Wagner Act passed in 1935
- Taft Hartley, amending the Wagner Act, passed in 1947
- Largely unchanged as the labor laws of the land after more than 70 years

# AFL CIO Merger

**American Federation of Labor**



**Congress of Industrial  
Organizations**



# AFL CIO Merger

- First, a review
- The AFL was founded in 1886 and among its early leaders was Samuel Gompers
- The AFL was a trade union, and did not want to include unskilled workers
- The CIO was formed from within the AFL by John L Lewis, among others in 1935
- A major difference was that the CIO was open to all workers (including blacks)

# AFL CIO Merger – Leaders

**Walter Reuther CIO**



**George Meany AFL**



## AFL CIO Merger

- Both Reuther and Meany were seasoned leaders, but new to leadership of their federations
- Both assumed leadership in 1952, and talks opened almost immediately

# AFL CIO Merger

- Many of the issues dividing the two federations had disappeared
- The AFL started taking in non craft unions, and the Machinists were one of the AFL's largest unions
- The CIO allowed communists in their leadership, as compared to the more conservative AFL, but all were barred due to Taft Hartley

## AFL CIO Merger

- Additionally, the CIO was declining in membership and power
- Given the lack of true difference between the organizations, and in light of a perceived anti union atmosphere, the merger made sense

# AFL CIO Merger

- On December 5, 1955, the two federations merged, created the AFL CIO
- George Meany of the AFL was voted the first President of the AFL CIO
- Meany would remain the President until 1979





## Interplay with Civil Rights

- Unions, during their formative years, reflected the same sorry history when it came to minorities
- Many unions would not allow black workers to join, or, if they did, created separate locals for them
- Part of this was racist, and part of this reflected that some unions were trade unions, where minorities could not enter the craft

# The UAW and Civil Rights

- Some labor unions were neutral or hostile during the Civil Rights era
- The UAW, under Walter Reuther, were at the forefront supporting civil rights



# UAW and Civil Rights

## Reuther

- Marched with Dr. King in Selma and other marches
- Spoke at the March on Washington in August 1963
- At LBJ's request, brokered an agreement between the Mississippi Freedom Democratic Party and the regular Mississippi Delegation at the 1964 Democratic Convention..

# Teamsters

- The International Brotherhood of Teamsters was founded in 1901, out of an AFL sponsored union that allowed employers to join.
- The first President, Cornelius Shea, was rumored to take bribes to avert strikes (hmmm)



# Teamsters

- During a strike against Montgomery Ward in 1905, it was found that Shea:
  - Was living in a brothel
  - Had a 19 year old waitress as a mistress
  - Spent the strike hosting parties
- His support collapsed and Daniel Tobin was elected President in 1907.



# Teamsters – Daniel Tobin

- Daniel Tobin would be President of the Teamsters from 1907 to 1952, a term of 45 years
- After FDR was elected in 1932, the AFL supported Tobin to be Secretary of Labor, a post that went to Frances Perkins
- After a long reign, his power began to wane post WWII, when David Beck challenged him and won the newly created VP position.
- Tobin stood down in 1952 in exchange for a \$50,000 salary (about \$400,000 today) for life



# Teamsters – Dave Beck

- Dave Beck was originally a laundry truck driver, and by 1927 was a local President
- After successfully challenging Tobin, Beck's first act as President was to change the union rules and make it harder to challenge leadership
- Was called to testify before a Senate Committee, and grilled by Staffer Robert F. Kennedy, took the 5<sup>th</sup> 117 times.



## Teamsters – Dave Beck

- Beck declined to run for reelection in 1957 and was succeeded by Jimmy Hoffa
- Beck was convicted of embezzlement and income tax evasion, and served 30 months
- He was later pardoned by Gerald Ford (the Teamsters were one of the few unions that supported GOP candidates)



# Teamsters – Jimmy Hoffa

- Hoffa rose through the ranks as a union staffer – he was never a truck driver
- He was elected as President of the Detroit based Teamsters local, and eventually rose to Vice President of the union in 1952
- During this entire time, the Teamsters were intertwined with organized crime – much of Vegas was built with Teamsters money



# Teamsters – Jimmy Hoffa

- In their Convention, the AFL-CIO voted by a 5-1 margin to expel the Teamsters unless they removed Hoffa
- Hoffa's response was a nonchalant "We'll see"

# Teamsters – Jimmy Hoffa

- Hoffa's troubles with the government began almost immediately upon his election
- He was first investigated by the Senate Labor committee, and its staff counsel Robert Kennedy
- When JFK was elected in 1960, and appointed RFK Attorney General, RFK created a "Get Hoffa" squad dedicated solely to convicting Hoffa.



## **Teamsters – Jimmy Hoffa**

- Hoffa was convicted of jury tampering and fraud and sentenced to a total of 13 years in prison
- He appointed Frank Fitzsimmons, a purported loyalist, to serve in his stead
- In 1971, President Nixon commuted Hoffa's sentence to time served

## **Teamsters – Jimmy Hoffa**

- However, one of the conditions for the commutation was that Hoffa could not partake in union activities until 1980
- Purportedly, this provision was at the request of Teamster leadership
- Hoffa instead decided to work with Local 229 in Detroit to begin the road back to power

## **Teamsters – Jimmy Hoffa**

- On July 30, 1975, Hoffa was set to meet with two Mafia associates at a Detroit restaurant
- When they did not appear, Hoffa called his wife and said he would wait a little longer
- It was the last time Hoffa was ever heard from

# Where's Jimmy?

- A cottage industry has sprung up trying to solve the mystery of what happened to Jimmy Hoffa
- Among his final resting places have been suggested:
  - In Detroit – either a trash compactor or a horse farm
  - Dumped in the Everglades
  - A house in Queens NY owned by one of the Mafia soldiers who were an inspiration for *Goodfellas*
  - Most famously, in the end zone of the old Giants Stadium.



# Teamsters

- Fitzsimmons was succeeded by Roy Williams, who, like Hoffa, ended up in prison, this time for attempted bribery of a US Senator
- With all of this history of corruption, a new internal organization, the Teamsters for a Democratic Union (TDU) attempted to gain power



## Teamsters

In 1989, just before a RICO trial, the Teamsters agreed to a consent decree, including the appointment of an Independent Review Board, empowered to expel any member for “conduct unbecoming the union”

# Teamsters

- The first election under this decree was held in 1991, and won by Ron Carey, backed by TDU
- However, most of the locals were still in the hands of old guard leaders, who supported Jimmy Hoffa's son, James Hoffa

# Teamsters

- In 1996, Carey was reelected in close election
- However, in 1997, he was removed by the IRB after it was shown Carey laundered money for the 1996 campaign
- In 1998, James Hoffa was elected President, and remains so
- The IRB remains in place, with no indication that its powers will soon be abolished.

# MLBPA

- Sports unions are among the most powerful and famous in the country
- We will look at the Major League Baseball Players Association as a case study as the most powerful and successful

# MLBPA

- Early professional baseball was marked by free movement by players among teams
- However, in 1880, the owners agreed to the reserve rule – essentially binding the player to his team in perpetuity.

# MLBPA

- Subsequently, there were a number of attempts at unionization
  - 1885 – Brotherhood of Professional Baseball Players (and the 1890 Players League)
  - 1901 – Protective Association of Professional Baseball Players
  - 1912 – Baseball Players Fraternity
  - 1946 – American Baseball Guild

# MLBPA

- By the early 1950's the key issue of contention was the pension issue
- Free agency and increased salaries were considered pipe dreams
- In December 1953, the players formed the MLBPA, and hired Jonas Norman as its Director
- This was not a full time position, and Jonas resisted all attempts to make it so
- Fed up with his lack of priorities, the players fired Jonas in 1959

# MLBPA

- After a few other directors, the players hired Judge Robert Cannon as their director
- Some of the other candidates included former Commissioner Happy Chandler, future Orioles owner Edward Bennett Williams, and future director Richard Moss
- Cannon's goal was not to serve the players forever but to become Commissioner of Baseball.





## Sports Union – MLBPA

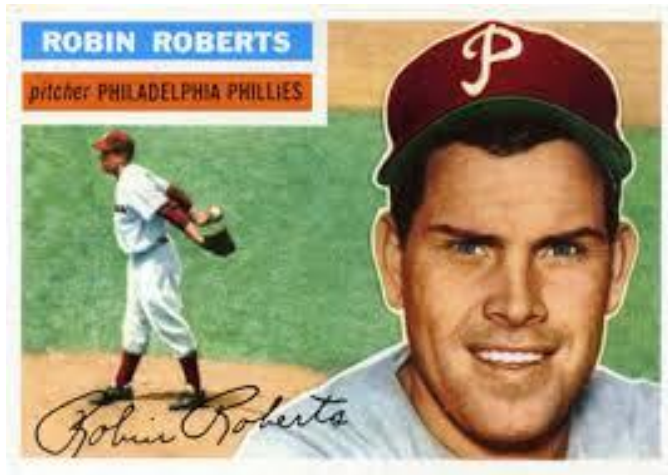
- Cannon was largely a management man – again, tried to get in good with the owners
- The continuing pension issue and lack of power by the director lead to a decision in 1965 to hire a full time Director, headquartered in NY, with staff

# MLBPA

- Once again, there were a wide variety of candidates:
  - Tom Costello, a Detroit lawyer (favorite of Jim Bunning)
  - Judge Cannon
  - Bob Feller
  - Hank Greenberg
  - Chub Feeney

# Baseball Leaders in the hunt for MLBPA head

**Robin Roberts – HOF Pitcher**



**Jim Bunning – HOF Pitcher  
(and future US Senator)**



# MLBPA

- Miller was also interviewed, but strongly disagreed with the idea of the players instead of the Executive Director hiring the legal adviser
- The players choice was NY attorney Richard Nixon – imagine how history might have changed!
- Cannon was given the job again, but began to have second thoughts – did not want to leave the bench forego his judicial pension or move to NY
- In an attempt to influence his decision, Pirates owner John Galbreath offered to make up Cannon's lost pension!

# MLBPA

- The players then turned back to Miller
- Owners were terrified of an experienced union hand leading the MLBPA
- They tried to influence the players by warning them they would be going on strike often
- Owners also magically came up with missing pension payments

# MLBPA

- The owners overplayed their hand – the players thought if the owners were that opposed to Miller, he must be good
- While there was some resistance in the Arizona spring training camps, the Florida camps voted 472-34 in favor of Miller
- On April 12, 1966, the MLBPA announced that Miller had been hired as Executive Director – and both baseball and sports unions would never be the same.

# MLBPA

- Management continued to fight back
- First, through Cannon, still the legal adviser to the MLBPA, Miller was offered a contract starting later (after negotiations) and for a shorter term
- MLB had been subsidizing the union office during the Cannon years and suddenly found this to be illegal under Taft Hartley

# MLBPA

- While the latter was a short term victory, the owners Inadvertently recognized the MLBPA as a valid union
- Miller worked out a deal with Coca Cola to put players images under caps, and the revenues from this deal were enough to fund the union office.



# MLBPA

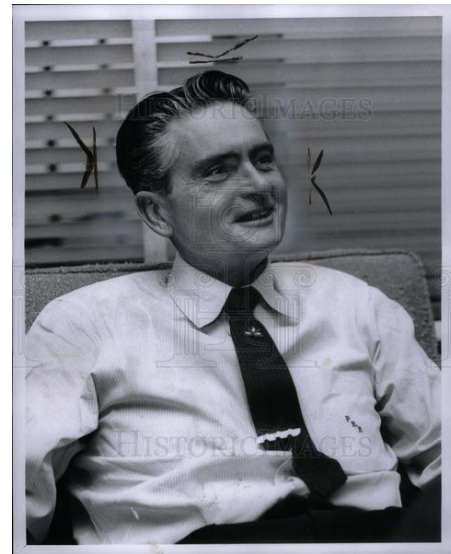
- First negotiations were on the pension plan
- At the time, the players paid \$344 a year into the pension plan, and \$50 a year(!) in union dues.
- Miller got management to rescind the player contribution, which was converted to union dues, and then canceled the \$50 in union dues
- The players got a small raise, and the union was put on a firm financial footing.

# How to build up union support

## Marvin Miller



Paul Richards – called Miller “a mustachioed four-flusher “



## MLBPA 1972 Strike

- Strike from April 1 to 13
- Agreement:
  - Increase in pension payments
  - Salary arbitration
  - Loss of pay for missed games

## MLBPA 1972 Strike

- Games not made up
- Missed games from 6 to 9
  - Tigers 86-70
  - Red Sox 85-70

# MLBPA

- Curt Flood and the reserve clause
  - Flood was traded from St Louis to Philadelphia but refused to go
  - He had businesses in St L, and felt he should be allowed to say where he worked

# MLBPA

- Curt Flood and the reserve clause
  - This was a direct assault on the Reserve Clause, and the owners fought back
  - The case went to the Supreme Court, and in a convoluted decision, Flood lost

## MLBPA

- Messerschmitt and McNally
  - The reserve clause said that management could extend a contract for one year.
  - Miller argued that this was not perpetual.

# MLBPA

- Messerschmitt and McNally
  - The two pitchers did not sign a contract, and the previous contract was extended
  - At the end of this year, MLBPA argued they were free agents



## MLBPA

- Messerschmitt and McNally
  - In a decision with wide repercussions, Arbitrator Peter Seitz agreed with the players
  - Free agency had come to MLB

## MLBPA 1981 Strike

- June 12-July 31
- Agreement
- No direct compensation for free agents but from pool
- Free Agency after 6 years

## MLBPA 1981 Strike

- Season split in two
- Each half champ to play each other
- Anomalies

## MLBPA 1994 Strike

- Management wants salary cap (MLB only sport without)
- Luxury tax instead

## MLBPA 1994 Strike

- 1994 World Series canceled
- Injunction issued by then District Court Judge Sonia Sotomayor ends strike

## MLBPA 1994 Strike

- At time of strike in 1994, Montreal Expos have best record in baseball
- Denied a chance at WS, team broken up next year
- Starts them on the path of becoming the Washington Nationals
- Injunction issued by then District Court Judge Sonia Sotomayor ends strike

## MLBPA

- 20 plus years of union peace
- Multiple CBAs without any rancor

## MLBPA

- 1966 – 4 players over \$100 K(Mays, Drysdale, Koufax and Mantle); 9 between 50 and 100K, 487 below 50K
- 2017 – MLB minimum salary - \$535,000



# Farm Workers – Victory and Defeat

- Early attempts to organize farm workers
  - Earliest attempt in 1903 involved Japanese and Mexican farm workers, and failed, in part due to lack of support by the AFL on racial grounds
  - The IWW held a rally in 1913 which was broken up by California Guardsmen
  - The 1936 Wagner Act specifically excluded agricultural workers from support for unionization.

# Farm Workers – Victory and Defeat

- After World War II, the US and Mexico agreed to the bracero program
- This allowed Mexican guest workers, and undercut wages for US workers.
- Early attempts at labor organizing and strikes in Texas proved unsuccessful

# Cesar Chavez and the UFW

- In 1962, with Dolores Huerta, Chavez formed what would later become the United Farm Workers
- He successfully led a boycott of California grapes and secured a contract with the growers



# Cesar Chavez and the UFW

- In 1973, the contract expired, and the growers signed contracts allowing the Teamsters to represent the workers.
- After a difficult struggle between the two unions, the Teamsters in 1977 signed an agreement to allow the UFW exclusive representational rights

# Cesar Chavez and the UFW

- Throughout the 70's, assisted by an ally, Jerry Brown, in the Governor's office, the UFW was relatively successful in securing workers' rights
- Chavez was also assisted by the California Agricultural Labor Relations Board (ALRB)

# Cesar Chavez and the UFW

- In 1976, the ALRB ran out of funds
- Rather than merely try to get the ALRB funded, Chavez backed Proposition 14, which would have given the union additional rights
- The growers, exploiting the racial differences within the UFW, fought against Proposition 14 and it lost by a 2-1 margin

# Cesar Chavez and the UFW

- With that defeat, Chavez and the UFW began a decline
- Chavez felt betrayed by members of the organization, and borrowed “The Game” from Syannon
- In this, senior members of the staff were forced to endure profanity laced critiques of their action

# Cesar Chavez and the UFW

- Chavez tried to lead another grape boycott in 1988, but it was unsuccessful
- He also attempted to get involved in real estate development, but used non union labor (a definite no no)
- He died in April 1993



# State of Cesar Chavez and the UFW

- Chavez remains an inspirational figure to union leaders and Hispanics
- However, today not one field worker laboring in grape farms in CA is under a union contract
- Most farm workers are undocumented, receiving less than minimum wage, and afraid to speak out due to distrust of UFW and fear of INS

# PATCO Strike

- Generally speaking, labor unions support Democratic candidates
- In some cases, as in 1948, that support was decisive
- The Professional Air Traffic Controllers Organization was one of the few unions in 1980 to support Ronald Reagan



# PATCO Strike

- Based on their support of Reagan, and their belief that they could not be replaced, PATCO called a strike on August 3, 1981
- Issues:
  - Better pay and working conditions
  - 32 hour week
  - Exclusion from civil service laws

# PATCO Strike

- Within hours, President Reagan ordered the strikers back to work, giving them 48 hours or would be fired
- The FAA and Department of Transportation worked to find replacement controllers
- They also implemented rules that PATCO was demanding in their strike to streamline air traffic controlling

# PATCO Strike

- On August 5, 1981, President Reagan fired the more than 11,000 controllers still out on strike, and banned them from any future federal employment
- He also took action against PATCO, which was eventually bankrupted
- Military ATCs were brought in and there was a crash hiring process
- While DOT said the staff would be back to pre strike levels in 2 years, it actually took 10

# PATCO Strike

- In 1986, strikers were allowed to apply for their old jobs, but only 800 of the more than 11,000 got their jobs back
- The ban on other federal employment was not lifted until 1993

# PATCO Strike

- Were there other options (postal workers went on strike earlier, but they were part of a government corporation):
  - Best option – work to the rule
  - Other option – enlist other unions (particularly pilots, flight attendants, mechanics) to support your cause

# PATCO Strike

- Long term, Reagan's actions put teeth in the no strike clause, and there have been no rumblings of federal strikes in the almost 40 years since then
- In a larger sense, this empowered management and began the dilution of union power that has continued up to this day.



# Wisconsin and Reaction

- As noted last week, the growth in union membership is in the public as compared to the private sector
- Many states have different rules over what unions can negotiate over, and there is no federal standard for the states.
- Most states allow bargaining over working conditions, some will allow bargaining over pay, but most will not allow bargaining over numbers and types of employees
- Also, some states by law ban strikes by public employees

# 2011 Wisconsin Bill 10

- Proposed and supported by Republican Scott Walker
- Increased worker contributions to health care and pensions
- Principal changes were to collective bargaining



# 2011 Wisconsin Bill 10

- Child care employees, state hospital employees, University employees and home health care employees would be prohibited from collective bargaining
- Other unions:
  - Collective bargaining limited
  - Unions would have to certify by election each year
  - No dues checkoff and employees would be allowed to leave unions
- Exempted police and firefighter unions

# 2011 Wisconsin Bill 10

- Child care employees, state hospital employees, University employees and home health care employees would be prohibited from collective bargaining
- Other unions:
  - Collective bargaining limited
  - Unions would have to certify by election each year
  - No dues checkoff and employees would be allowed to leave unions
- Exempted police and firefighter unions

# 2011 Wisconsin Bill 10

- Realizing that they were in the minority, the 14 Democratic Senators fled to Illinois to deny the Wisconsin Senate a quorum
- The Republican majority cut the Senators' pay and benefits, and authorized the police to bring them back (but Wisconsin police had no authority in IL)
- Walker tried changes, but the Democrats rejected them.
- The Senate then stripped the legislation of any fiscal changes, so a quorum was not required, and passed the bill 18-1

# 2011 Wisconsin Bill 10

- Suits were brought in both state and federal court against the bill, but were ultimately unsuccessful
- Weeks of protest in Madison and in the State House itself also did not derail the bill
- In 2012, sufficient signatures were secured to call for a recall election.
- In that election, Walker was returned to office with a larger percentage than when he was elected in 2010

# Wisconsin – aftermath

- Public sector union membership dropped dramatically – AFSCME dropped from 62,818 to 28,745
- With that drop in membership came a resultant drop in finances and power
- Additional states tried to curtail public sector unions – some successful, some blocked
- Wisconsin voted GOP In 2016 – arguably the unions' decreased power hurt Democratic chances