

# The History of Unions in the US

## Class 3:

### Public Sector Unions

Jim Dunphy  
dunphyjj@aol.com

# Overture

*The Union Maid*

*By Woody Guthrie*

*Lyrics brought into the 21<sup>st</sup> Century*

[https://www.youtube.com/watch?v=Rs5\\_gB582IM](https://www.youtube.com/watch?v=Rs5_gB582IM)

# Organization of class

- Federal Labor Unions
- State and Local Labor Unions

## Early Federal Employment

- For most of the early years of the Republic, federal employment was under the spoils system
- Based on a supposed quote from Andrew Jackson “To the victor goes the spoils”
- After each election, the federal workforce was turned over



## Early Federal Employment

- The 1883 Pendleton Act established that federal positions should be filled by merit
- Initially, few positions fell under this act, as politicians did not want to give up patronage
- It took an early Civil Service Commissioner, Teddy Roosevelt, to expand the reach of the Act



## Unionization

- Under the spoils system, unionization was inappropriate, as there was no job security.
- The first stirrings of unions in the Federal Sector came after the Pendleton Act and were in the Post Office

## Unionization – Postal workers

- First to organize were the Letter Carriers
- There had been a number of unsuccessful attempts beginning in 1870 to organize these workers
- In 1889 the Milwaukee Letter Carriers issued a call for a national convention
- This time it was successful, with 52 locals by 1890 and 335 by 1892

## Non Postal Federal Unions

Prior to the 1930's there was little union activity in the federal sector outside of the postal service.



# Non Postal Federal Unions

- In a 1902 Executive Order, Teddy Roosevelt precluded federal workers, individually or collectively, from soliciting:

*an increase of pay, or to influence or to attempt to influence in their own interest any legislation whatever, either before Congress or its Committees, or in any way save through the heads of the Departments in or under which they serve*

- The penalty was dismissal

## Non Postal Federal Unions

- President Taft revised the Executive Order, to allow workers to contact Congress, but only through their Department heads.
- The Congress, more progressive than the President, passed the Lloyd-Lafollette Act in 1912, allowing workers, individually or collectively, to contact Congress

## Non Postal Federal Unions

- This provided an impetus for the creation of federal labor unions.
- The first was the National Federation of Federal Employees (NFFE).
- Under the Lloyd-Lafollette Act, NFFE concentrated on legislative action instead of collective bargaining.

## Non Postal Federal Unions

- NFFE was originally a part of the AFL, but broke with them in 1931 after the AFL continued to support trade unionism
- Part of NFFE membership wished to remain in the AFL, and formed the American Federation of Government Employees (AFGE) in 1932
- More about both of these unions and many others in the federal service later.

# The New Deal

- FDR was generally seen as friendly to unions, but not in the federal sector.
- In 1937, FDR stated that “All Government employees should realize that the process of collective bargaining, as usually understood, cannot be transplanted into the public service.”

# The New Deal

- The 1935 Wagner Act, which provided the legal basis for unionization of the private sector, specifically excluded the public sector.
- In 1939, the Hatch Act banned federal employees from most political action.

# JFK Executive Order

JFK issued  
Executive  
Order 10988 in  
January 1962



# JFK Executive Order

- This order
  - Allowed employees to join unions and perform such activities as collective bargaining without having to take leave
  - Agencies to seek the input of unions with “affirmative willingness”
  - Workers still not permitted to strike, and only allowed to bargain to impasse, where a 3<sup>rd</sup> party would decide.



## JFK Executive Order

- As a result of this order, union membership skyrocketed
- As an example, AFGGE had 71,000 members in 1961 and 301,000 members in 1970.
- The order was revised (and somewhat strengthened) by President Nixon in EO 11491

# 1978 Civil Service Reform Act

- The Act divided the Civil Service Commission into
  - Office of Personnel Management (OPM)
  - Federal Labor Relations Authority (FLRA)
  - Merit Systems Protection Board (MSPB)

# Federal Labor Unions

## The Big Two

- American Federation of Government Employees (AFGE)
- National Treasury Employees Union (NTEU)

# AFGE

- Founded in 1932 by NFFE members who wanted to stay in the AFL
- Represents federal and DC workers
- Is organized into Districts (geographic) and Councils (by Department)



# AFGE

- Represents over 700,000 bargaining unit employees (non supervisors)
- Federal government is an open shop, so AFGE must represent both dues paying and non dues paying members
- AFGE currently has a little over 300,000 dues paying members.

# AFGE

- Represents employees in grievance procedures
- Lobbies on behalf of workers issues with Congress (as union members, not federal employees)
- Negotiates both specific agreements and master agreements on behalf of employees

# AFGE

- These activities are conducted on “official time.”
- This is time which the union either negotiates on a case by case basis or in a master agreement for hours when paid by the agency and doing representational work.
- Matter of some controversy with the new administration and Congress.



# AFGE Leadership

- J. David Cox (c) was elected President in 2012 and reelected in 2015
- Started federal employment as a VA nurse, and also served as the 1<sup>st</sup> VP of the National VA Council
- In 2009, he was elected National Secretary Treasurer of AFGE



# AFGE Leadership

- Augusta Thomas is the VP for Women and Fair Practice
- Had a very interesting childhood



# AFGE Leadership

- The third consitutional officer is the National Secretary Treasurer
- Previously held by Eugene Hudson, who was dismissed in the summer of 2017
- May run for President in the 2018 convention



# Meeting with my son's High School AP Government Class Feb 2014



# NTEU

- Despite the name, represents workers at departments other than Treasury
- Started in 1938 representing IRS workers, then Treasury, then all feds



# NTEU

- Rejected a 1966 merger with AFGE
- In 1978, FCC employees became the first non Treasury employees to be represented by NTEU
- Like AFGE, negotiates, lobbies and grieves, but also uses the courts
- Currently represents about 150,000 bargaining unit employees

## NTEU

- Current President is Tony Reardon, elected in 2015.
- He succeeded Colleen Kelly, who served from 1999-2015
- Presidents have been long serving:
  - Vincent Connery 1966-1983
  - Robert Tobias – 1983-1999



# Other Federal unions

- NFFE – National Federation of Federal Employees
- NAGE – National Association of Government Employees



# NFFE Reunification

- If you remember, AFGGE grew out of a split with NFFE
- NFFE associated with the IAM, and became part of the AFL-CIO
- All AFL-CIO unions agree to a non raiding clause

# NFFE Reunification

- NFFE ran into financial difficulties in 2000, and did not pay their per capita (dues) to the AFL-CIO
- As a result, NFFE was suspended from membership, and the no raiding clause was no longer in effect

# NFFE Reunification

- AFGE filed representational petitions at a number of locations, principally within the VA, where NFFE represented workers
- As a result, a number of VA facilities, in SF, Miami, Austin, Topeka and Gainesville, among others, changed from NFFE representation to AFGE

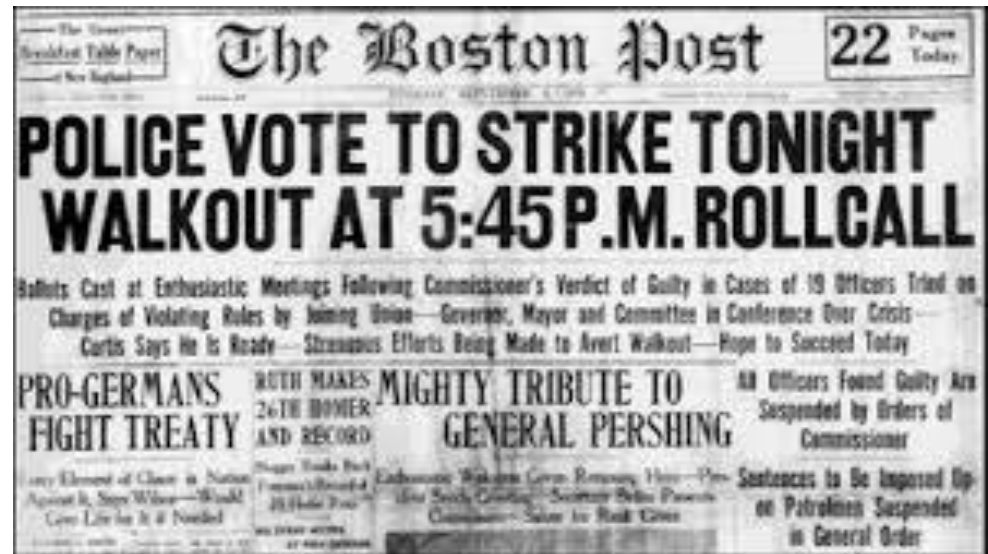
# Other Federal unions

- Also internationals with federal members:
  - NNU – National Nurses United
  - SEIU – Service Employees International Union
  - IAFF – International Association of Fire Fighters
  - FOP – Fraternal Order of Police

# State/Local unions

# 1919 Boston Police Strike

- Unlike most municipal police departments, Boston was run by the state and not the city
- Pay was extremely low, and the police had to buy their own uniforms and equipment
- During WWI, inflation rose much higher than pay increases



# 1919 Boston Police Strike

- Boston Police formed the Boston Social club in 1906 try to solve the issues of low pay and long hours
- Boston management was “sympathetic” but did not agree to the requests
- In June 1919, Boston was one of many cities where the police organized into a union under the AFL.

# 1919 Boston Police Strike

- Boston leaders proposed a compromise where the city would recognize a non AFL affiliated union that rejected the right to strike, but Governor Coolidge rejected that compromise.
- With this, the police voted 1134 to 2 to go on strike, and the strike started on September 9
- Without police in the city, violence broke out.



# 1919 Boston Police Strike

- Governor Coolidge first called out the National Guard, then fired all the strikers and then hired replacements
- Ironically, the newly hired men got increased pay and benefits.

## 1919 Boston Police Strike

- Coolidge became famous for his quote: “There is no right to strike against the public safety by anybody, anywhere, anytime,”
- Within 18 months he was Vice President, and within 4 years he was President.
- The failure of the Boston strike cast a impediment over future municipal unionization in general and strikes in particular



# Current Police Organizations

- FOP – Fraternal Order of Police
- PBA – Patrolmen's (sometimes Policemen's) Benevolent Association
- IUPA – International Union of Police Associations (AFL-CIO recognized union)

# Current Police Organizations

- Most organizations are either legally prohibited from striking or eschew the right to strike
- They, along with fire fighters, employ a media campaign that they are “different” from other municipal workers
- Often more effective than striking – in Wisconsin, police and fire were exempted from most of the more onerous rules

# Current Police Organizations

Unlike most unions, non bargaining unit employees (what are they?) are allowed to form their own organizations.

# Current Police Organizations

- In New York, for example, there is
  - Patrolmen's Benevolent Association
  - Detectives' Endowment Association
  - Sergeants' Benevolent Association
  - Lieutenants' Benevolent Association
  - Captains' Endowment Association

# Current Police Organizations

- Police unions
  - Bargain for pay and benefits
  - Provide assistance for officers facing discipline (call my delegate)
  - Lobby for laws and regulations perceived to be in the interest of police officers

# Fire Fighters Unions

- Principal union is the International Association of Firefighters (IAFF)
- Founded in 1918, represents over 300,000 firefighters in over 3,200 affiliates
- Performs in a like manner as the police unions – without the right to strike





# Fire Fighters Unions

- Like the police, both firefighters and officers can belong to a union
- Personal example:
  - After World War II, my father joined the FDNY and became a member of the UFA (Uniformed Firemen's Association – well, it was 1947!)
  - In 1959, he was promoted to Lieutenant and became a member of the UFOA – Uniformed Fire Officers Association.
  - Remained a member through promotions to Captain and Battalion Chief

## Teacher Unions – NEA

- There are two major teacher unions – the NEA and the AFT
- Currently has about 3 million members, and while thought of a teachers' union, any school employee can join
- Unlike AFT, not a member of the AFL-CIO.



# NEA

- Current NEA membership is about 2.6 million
- While many think of the NEA as a teachers' union, all school employees can join

# NEA

- The NEA was founded in 1857 as the National Teachers Association
- After a merger with a number of other educational associations, named the NEA in 1886
- By the 1920's had grown so large needed a professional staff, located at NEA headquarters in DC

# NEA

- A separate organization, the American Teachers Association, consisting of black educators, was associated with the NEA
- Such an organization was started because of the segregated nature of Southern schools (the NEA allowed members to join regardless of race)
- By the 1960's, mergers of the two unions began, and the ATA was totally integrated into the NEA by 1969

# Teacher unions

## – AFT

- The American Federation of Teachers was founded in 1916, and currently has about 1.5 million members.
- It was originally based in Chicago, and differentiated itself from the NEA by only allowing teachers to join
- Growth was slow as authorities did not recognize the union



# AFT

- Like many public sector unions, the AFT struggled with laws prohibiting public sector union membership
- It was not until 1932 that such laws were overridden in the Norris-LaGuardia Act
- In 1998, talks were initiated between the AFT and the NEA about a merger
- While the talks eventually failed, they did agree to a “no raid” clause.

# Famous leaders – AFT

**Albert Shanker – President NYC  
AFT 1964-1985; AFT 1974-1997**



**Randi Weingarten – President NYC  
AFT 1998-2008, AFT 2009-pres**





## Famous leaders – NEA

- Reg Weaver – President, 2002-2008.
- Under NEA rules, Presidents cannot serve more than 6 years
- Fiery speaker and motivator



# Other educational unions

- AAUP – American Association of University Professors
- CSEA – California School Employee Association
- Issue –
  - Teaching assistants (grad students) and adjunct professors
  - Number of locals, not yet recognized

# Case study – the 1968 NYC Strike

- The strike centered on actions in the Brownsville (Brooklyn) district
- In the 1940's, the neighborhood was predominantly Jewish (6% black)
- By the 1970 census, it was 77% black and 19% Hispanic

# Case study – the 1968 NYC Strike

- Teachers in NY were hired through civil service, and at the time of the strike only 8% of teachers and 3% of administrators were black.
- Centralized control of the schools was in the Board of Education, a huge and unwieldy burucreacracy
- In 1967, NYC Mayor Lindsay created three pilot decentralized school districts, including Ocean Hill Brownsville

# Case study – the 1968 NYC Strike

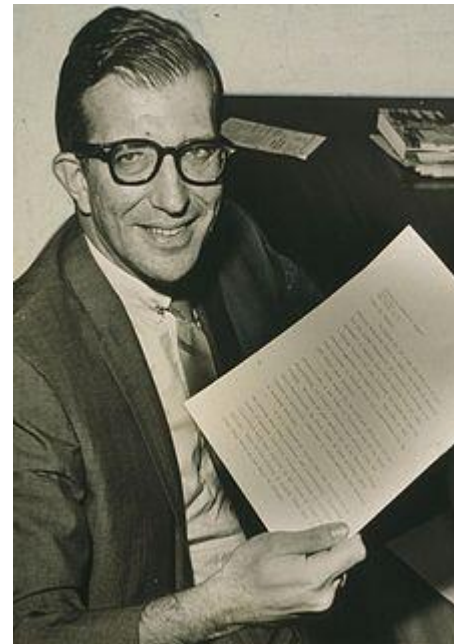
- Rhody McCoy, a black educator was named the head of the district
- He began replacing principals without following civil service rules, and then on May 6, 1968, moved 13 teachers and 6 administrators without following the union contract

# Case study – the 1968 NYC Strike

- The initial action was limited to the schools in the Brownsville District
- UFT reaction was to send the teachers back to their schools, only to have the teachers blocked by the community
- Later, 350 UFT teachers stayed out of school for three days, and they were removed by the Board from their schools and sent back to the central Board

## Case study – the 1968 NYC Strike

- On September 9, 1968, when the new school year began, the UFT, lead by Albert Shanker, called a strike
- 93% of the 58,000 teachers walked out over the issue of Brownsville



## Case study – the 1968 NYC Strike

- After two days, they returned when the central Board agreed to reinstate the transferred teachers
- However, on September 13, the teachers went out again when it became apparent the Central Board had no power in Brownsville





# Case study – the 1968 NYC Strike

- The overwhelming majority of teachers were Jewish, and the parents and students in Brownsville were almost all black and Hispanic
- Racism and anti-Semitism played at least a role in the strike and the positions of the adversaries

# Case study – the 1968 NYC Strike

- In November 1968, the state ended the strike by taking control of the Ocean Hill-Brownsville District
  - Dismissed and transferred teachers were reinstated
  - Three principal appoint by the District were transferred
  - State run trusteeship ran the District for 4 months

# Case study – the 1968 NYC Strike and legacy

- Shanker became a national figure and was soon President of the national AFT
- Mayor Lindsay's effectiveness was further undermined, along with loss of white support
- The traditional liberal alliance of blacks and Jews was splintered if not ended
- Teachers learned that they could achieve their goals through forcefulness, and a new militancy was born

# Case study – the 1968 NYC Strike and legacy

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# And Yes.....

- There was an unfortunate consequence to the rise of Albert Shanker:
- <https://www.youtube.com/watch?v=D2fYguIX17Q>
- 1:45

# State and Municipal Unions

## Principal Union:

- AFSCME – American Federation of State, county and Municipal Employees

# AFSCME

- It currently represents over 1.2 million workers
- In 1932, a group of 50 workers in Wisconsin banded together to form the Wisconsin State Employees Association
- In 1934, this organization was granted an AFL charter as AFSCME



# AFSCME

- In addition to headquarters staff in DC, AFSCME consists of 3400 locals, including health care workers, corrections officers, sanitation workers, police officers, firefighters, and childcare providers
- Organized into councils (geographic) and caucuses (occupational)
- Example: District Council 37 in NYC, representing 125,000 employees



# AFSCME

- Issues:
  - Outsourcing/privatization
  - Minimum wage increases
  - Safety and workplace security
  - Health care
- Strong political action, allied with the progressive wing of the Democratic Party

# AFSCME

- Like many unions, long serving presidents
- AFSCME Presidents
  - Arnold Zander 1936-1964
  - Jerry Wurf 1964-1981 (right)
  - Gerald McTeneer 1981-2012



# AFSCME

- Current President: Lee Saunders
- From a union family in Cleveland
- Began work in 1974 in Ohio
- Became an AFSCME Staffer in 1978
- Elected Secretary Treasurer in 2010, then President in 2012



**Next week**

**Labor Relations from the  
end of World War II  
to the Present**