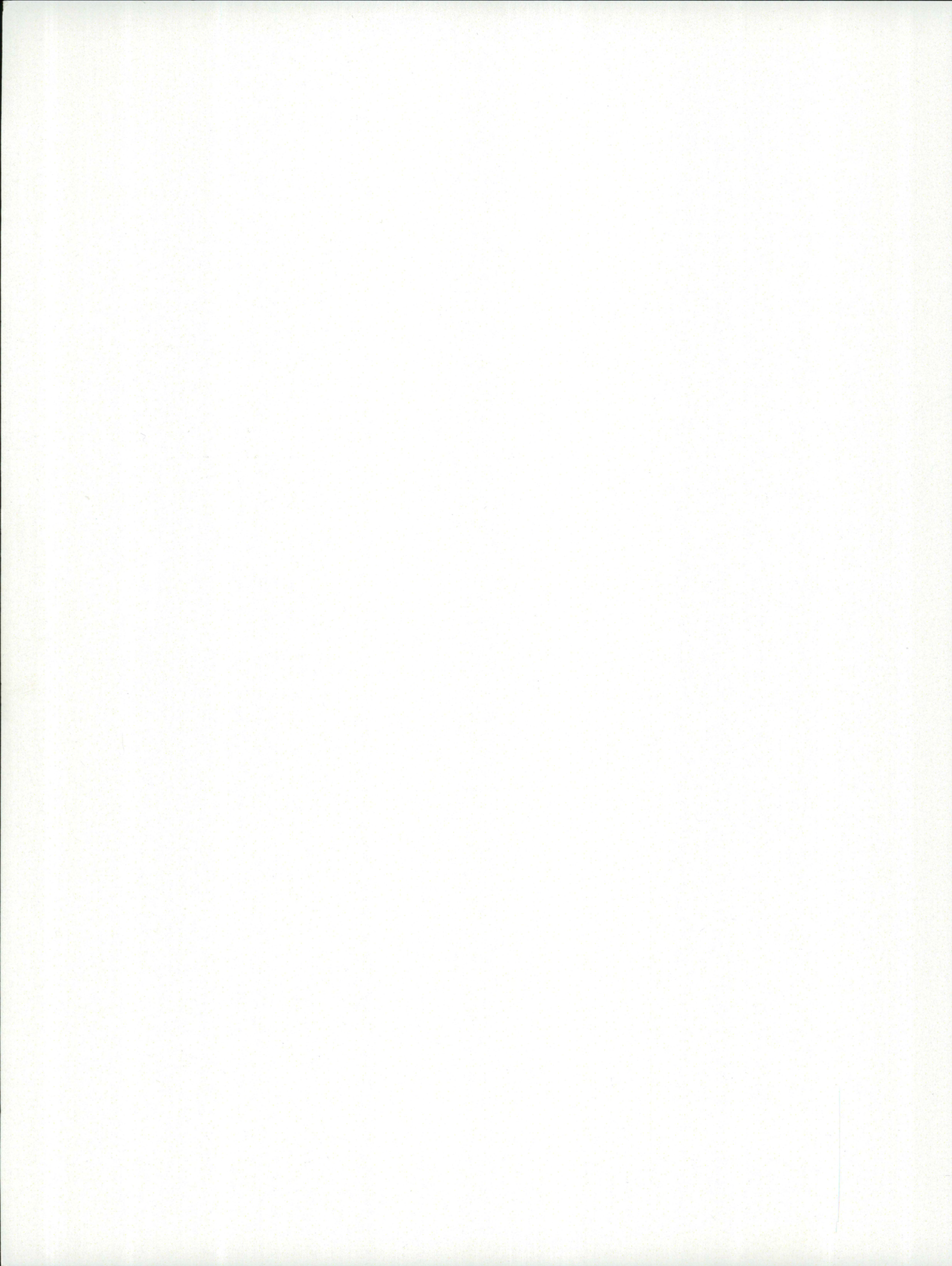


Walking the Line

The Diverse History of Organized Labor in Texas



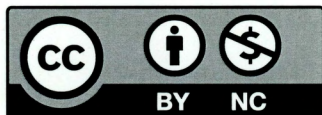
A retrospective exhibit recognizing the 50th anniversary of the Texas Labor Archives, 2017
Curated by Dr. George Green in conjunction with UTA Libraries Special Collections



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Cover photos clockwise from top right:

United Auto Workers Union activist Dr. Gene Lantz, protesting the North Atlantic Free Trade Agreement in Dallas in the early 1990s.

TEXAS LABOR ARCHIVES

Fort Worth's union boilermakers and musicians turned out for the annual Stock Show parade, 1916. The musician's local was chartered in 1898. These players were probably part of the city's first professional orchestra, 1912-1917, which disbanded because of World War I. The Fort Worth Symphony Orchestra was re-born in 1925.

FORT WORTH PROFESSIONAL MUSICIANS
ASSOCIATION RECORDS, AR10

"Boil Hitler in Texas Oil," seven members of Oil Workers International Union and the cio hold banner, circa 1941-1942.

CLYDE JOHNSON PHOTOGRAPH COLLECTION, AR213-1-1

Union Shop sign, circa 1940s.

JOURNEMEN BARBERS, HAIRDRESSERS, AND COSMETOLOGISTS
INTERNATIONAL UNION OF AMERICA #63, DALLAS, TEXAS
COLLECTION AR1-3-16

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Walking the Line: The Diverse History of Organized Labor in Texas

ORGANIZED LABOR IN AMERICAN HISTORY

The task of organized labor is to persuade employers to recognize unions and to share more of their wealth. Also—during much of our state and national history beginning in the 1830s—labor called for a reduction in hours per day and days per week. In that early era, 14–16 hours worked were common over six, sometimes seven, days per week. By the late 19th century, health and accident compensation were vital goals in more dangerous jobs, notably in the railroad, mining, and lumber industries. Railroad brotherhoods began as benevolent organizations, becoming somewhat less dependent on corporations and legislation than timber workers and miners. But all unions in the private and public sectors benefited from state and federal legislation, as well as strikes for wages, hours, and benefits, beginning in the Gilded Age (mid-1800s to 1900) and accelerating in the Progressive Era (1901–1918). Legislation, however, was often inadequate and sporadically enforced.

Already in the Gilded Age beginning in the 1870s, unions favored progressive taxation rather than high tariffs as a

revenue source, and the nation concurred by the 1910s with the adoption of federal and some state income taxes and with lower tariffs. Also during the Progressive Era, unions fought voter suppression by lobbying against poll taxes and for women's suffrage. (It was an old battle—the first workers' strike in America, 1619, was to achieve the right to vote.) Labor also began working with political allies. It began in Texas as soon as labor organized statewide in 1885–1886. They cooperated with family farmer organizations off and on until recent times.

Beginning with Gilded Age industrialization, workers had to utilize strikes to achieve any concessions because few employers believed in unions. Many would not even talk to their own workers. Waves of strikes occurred in Texas and the U.S. in 1877, 1885–1886, 1919–1922, and 1934–1941, prior to the adoption and enforcement of even-handed labor laws. Beginning with World War I precedents, the Wagner Act of 1935, and wartime legislation in 1942, collective bargaining was institutionalized, and corporations and governments generally ceased trying to debilitate unions. The Fair Labor Standards Act, 1938, established a norm of

eight hours a day and a five-day work week. The accord between labor, capital, and government prevailed from about 1941-1942 to about the mid-1970s and early 1980s. It did not end all strikes, of course, but it produced two generations of sustained economic growth, rising standards of living, and national affluence. The U.S. was given a boost by the devastation of European and Asian economies during World War II.

The accord fell apart because of structural economic changes, especially the shift away from production and toward a white collar service economy. There was a drastic decline in the proportion of workers engaged in mining, manufacturing, and transportation, largely because they were replaced by machines. Jobs were also shipped abroad, but many of them were soon destined for automation. This process enhanced the leverage

of private employers, many of whom refused to countenance unions. The union membership base shifted toward public employees. The federal government's destruction of the Professional Air Traffic Controllers Organization (PATCO), 1981, showed public employees were also vulnerable. Few Texas state employees are unionized, and over 6,000 are on food stamps. The standard of living has slowly declined for many workers for some forty years.

Vibrant unions helped create a decent working class standard of comfort and helped maintain a stable society. Union diminution today is reflected in the decline in the working/middle class and the yawning income gap. The U.S. is struggling to cope with it.

THE FOUNDING OF THE TEXAS LABOR ARCHIVES

During the Southern Historical Association convention in November 1966, some twenty young scholars organized the Association of Southern Labor Historians. We were Southern historians interested in discovering new aspects of the field. Our purpose was to promote this neglected area by encouraging the collection of labor records in various states, researching the records, and publishing the results. I was inspired to take action at the institution I had just joined, The University of Texas at Arlington (UTA).

In January 1967, I conferred with Head Librarian John Hudson and, soon thereafter, with Dr. Howard Lackman in the History Department about the absence of primary research materials for graduate and undergraduate studies in history at UTA and the lack of labor research in Texas at that time. We learned that unions possessed records and that Dallas and Fort Worth labor leaders were encouraged by our interest—especially Mrs. M.M. McKnight, whose late husband had been Mayor Pro-Tem of Fort Worth, and Willard Barr, who had served as Mayor. It helped that UTA Economics Professor Dick Shuttee had once worked at the Texas AFL-CIO office in Austin.

A letter from UTA President Jack Woolf to Texas AFL-CIO President Hank Brown launched the effort to name the prospective Texas Labor Archives the official depository of Texas labor. Secretary-Treasurer Roy Evans, Education Director Harold Tate, and Hank's secretary Lynita Naughton encouraged Hank to agree, which he did. Dr. Lackman and I made the first trip to Houston and Galveston that summer to contact unions and labor councils, funded by UTA and the McKnight trustees. Other funding through the decades came from Reecy and Dolan McKnight, Barney Rapoport, the Zale Foundation, Harry Weisbrod, John Schoellkopf, Bill Follette, the Texas AFL-CIO, Machinists District 776, and the Tarrant and Dallas County central labor councils.

The Labor Archives was the beginning of UTA's Special Collections, which has been blessed with a series of excellent directors and labor archivists. I am still in the field, though not so often now.

George N. Green
Professor Emeritus
UTA History Department

THE BEGINNINGS OF THE LABOR MOVEMENT IN THE UNITED STATES

Boston dockworkers were organized in 1770 by Sam Adams and others to challenge British authority. The resulting Boston Massacre failed to trigger the desired rebellion, but it was a milestone on the road to the revolution, 1775–1783. So were the riots against the Royal Navy’s impressment of workers into the service. The first unions—carpenters and printers—were organized during George Washington’s first term. Citing British common law labeling unions as conspiracies, courts in the early 1800s destroyed them. But in the late 1820s and early 1830s, workingmen’s parties in Northeastern cities demanded such reforms as manhood suffrage, the 10-hour day, free public schools open to all, and the abolition of monopolies and debtors’ prisons. Unions became more acceptable. The 10-hour day gained ground, and the other planks were enacted by the states.

IN THE REPUBLIC OF TEXAS, 1838, Houston typographers organized and pulled a successful strike for higher wages. Actions in concert sometimes preceded unionization. Galveston sailors in 1845 took advantage of a shortage of seamen as well as the Republic’s law requiring Texas citizenship of three-fourth’s of the crew of any ship flying the Lone Star banner. The sailors’ strike threatened to leave the vessel unmanned, so the owner granted the wage increase. The operating crafts on the Houston & Texas Central Railroad struck in 1872 rather than accept a wage increase tied to a policy that the company was not liable for any work-related injury or death. The “Death Warrant Strike,” as workers immediately dubbed it, was broken by the state police, but much of the public generally sympathized with the strikers. That was probably one reason why the company rehired most strikers and canceled its new policy.

THE GILDED AGE *Mid-1800s to 1900*

THE GILDED AGE in Texas was characterized by low wage scales as the state slowly recovered from the Civil War, made worse by the nation’s depression, 1873–1879. Successful railroad and longshoremen’s strikes and a mass protest, 1877, staved off more wage cuts. In the 1880s a wide variety of unions sprang up pushing to lower the 10–16-hour workday and raise wages. They were also fighting for dignity on the job; for example, when a tallow tank in a Houston beef packing plant exploded, three men were scalded, at least one fatally, and much machinery damaged, while a reporter wrote that the “sympathies of the whole people of Houston are with the enterprising proprietors.” Wage hands and farmers were saddled with paying for industrialization, but they resisted through unions, farmers’

alliances, and political parties and factions. After another depression, 1893–1896, union hopes rested with the skilled trades and railroad brotherhoods.

The Typographical Union and Albert Parsons

Austin’s *State Journal* was a radical Republican newspaper during the Reconstruction era, when the U.S. government briefly endorsed equal rights for black Americans. The employees were organized after the Civil War by Austin’s typographical union, which did not accept black members or even recognize them as craftsmen. On June 26, 1871, the newsroom department suddenly demanded that the paper’s insert advertisements should be compensated as though the printing was the best quality; it was not,

and management balked. Notices, with reasons for the strike, were to be sent to all locals in the U.S., with the name of one strikebreaker to be prominently blacklisted as a “rat”—Albert Parsons. Parsons was capable of running the *Journal*, whose cause he espoused, with little help. He was a printer/publisher who had already become despised in Waco and Austin as a turncoat, a Confederate combat veteran who had become a Reconstruction Republican.

The strike did not seem to hinge on a valid union grievance, but rather appeared to be an effort by white supremacists to terminate the *Journal*. It nearly terminated the local—it did not even meet from August 6 until January 28, 1872, when it began the process of electing all new officers. Parsons left Texas, 1873, as Reconstruction collapsed. He joined Chicago’s Typographical #16, which disregarded or did not receive the circular from Austin’s #138. He worked at the trade and became a syndicalist, hoping unions would overthrow capitalism. By 1886, with other radicals who had infiltrated the local Knights of Labor (KOL), he energized the movement for the eight-hour day. Thousands were striking by May 1st. Protesting violent police actions, workers gathered at Haymarket Square on May 4th. Parsons spoke and left the troubled gathering. After the battle he was charged with murdering the policemen and was hanged.

The Knights of Labor in Texas

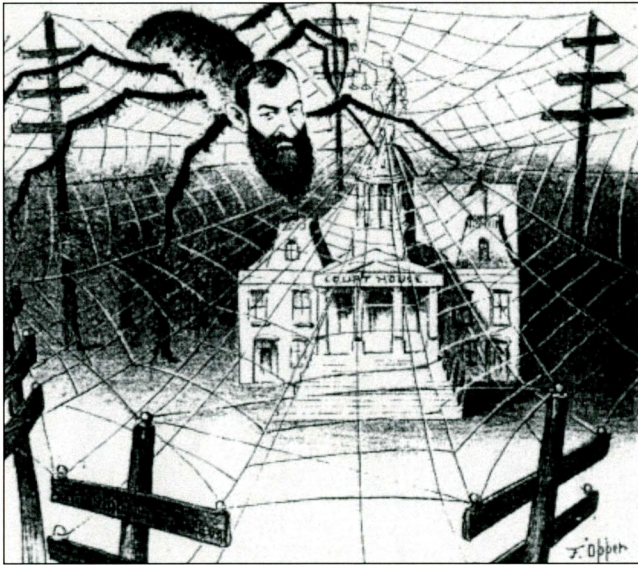
An 1885 Galveston dispute involved white longshoremen’s wages on the Mallory Steamship dock and black longshoremen who took their jobs. Tensions rose, but the two workforces compromised on an unprecedented work sharing plan. Mallory rejected a black/white labor force united for collective bargaining and retained its all-black force. Some 1,700 mostly white Knights of Labor (KOL) shut down the city for five days in November, except for Mallory commerce. The general strike/boycott threatened to become a race riot. But an arbitration board adopted the racial sharing/rehire resolutions, printed during the strike and in the January 1886 convention minutes. Equitable work sharing was ostensibly accepted by all! Galveston and the KOL expected it to commence. But the rehire-strikers clause was just an arbitration board request to the company, which it continued to spurn in 1886. The work sharing concept spread, however, and soon became the norm in major Southern ports, including Texas.

KOL convention proceedings, January 1886, show that the delegates resented the presence and/or competitive labor of convicts, Chinese, and imported Mexicans. A boycott of the *Houston Age* was an ill-conceived reaction to hostile editorials. Another major concern was that the Order had grown so rapidly that it could not keep track of its membership since local officers failed to report to the statewide body, District 78, or offered only negligible information in their reports. Over 70 new assemblies were listed, but many sent no delegates. The delegates approved the resumption by Galveston’s white longshoremen of the boycott of the Mallory Steamship Company. They repeated the daring proposition for racial equality in hiring on the waterfront, but the resurrection of the boycott coincided with the Great Southwest Strike in March, and the burden was too much for the fledgling Texas KOL to sustain.

The January 1886 KOL delegates proposed the most comprehensive list of progressive demands yet adopted in Texas, the second beginning of the labor/liberal movement in the state (after the demise of the mostly agrarian Greenback Labor Party, 1878–1884). The eight-hour day was mentioned. The coinage of silver and the re-issue of low denomination treasury notes was urged in order to counteract the deflation of the era. Cooperative associations should be encouraged by the legislature to aid in economic relief. National aid “for the education of the masses” was demanded, given the state’s miserly record of funding schools. (Texas had been dead last in the nation in 1880.) Schools should operate seven months of the year with competent well-paid teachers. Another request was for a better mechanics’ lien law making unpaid workmen privileged creditors in estate settlements. And they wanted more women in their ranks.

Jay Gould and the KOL District 101

The District 78 minutes did not discuss the rising tensions between Jay Gould’s Southwest System and new KOL District 101, comprising some 10,000 of Gould’s railroad hands (mostly shop men, track men, and bridge men). Thousands of grievances and frustrations had piled up, but President Martin Irons did not think his angry, unseasoned unionists were ready for a clash. Yet the strike was reluctantly launched March 1, 1886. The skilled railroad brotherhoods who operated



The classic Robber Baron, Gould spun a web of control over governments as well as workers. The web in the drawing is constituted of telegraph lines since he owned Western Union. Corporations, government officials, and labor unions suspected that Gould, who did maintain a spy network, was tapping into their communications.

GREAT SOUTHWEST STRIKE, RUTH ALLEN

the trains, fearing being subsumed by the all-inclusive Knights, ordered their members not to participate. The strike was prolonged by the donations of food to the strikers by the Farmers' Alliance. The strike succeeded for a month with strikers and sympathizers massing in the roundhouses and on the tracks, sometimes "killing" engines by dousing the fires and draining the water. Many sympathetic brotherhood men were glad to step aside, some of them also KOL members.

The Great Southwest Strike

Gould was better prepared for the Great Southwest Strike than the one in 1885 that triggered the Knights' stupendous nationwide growth. But it took time to mobilize the army of strikebreakers as well as hundreds of guards and scores of deputies and their court injunctions. Gould and manager Robert Hoxie took their time, delaying their appeals for help until communities were suffering shortages. Some 5,000 strikers were in Texas and 5,000 more in Missouri and Arkansas. Violence in St. Louis hastened the end. A shootout also virtually terminated the strike in Texas—the Battle of Butter-milk Switch, which occurred in Fort Worth in today's location that is around 2200 South Main. Five rifle-men, at least three of whom were sympathizers rather

than Knights, challenged a dozen deputies with pistols led by notorious "lawman" Jim Courtright, a recent fugitive from the law. About 100 shots were exchanged, one deputy died, and two on each side were severely wounded.

Terence Powderly, eloquent Grand Master Workman of the KOL, was dismayed by the strike and had inadequate resources to help. KOL Secretary Charles Litchman, a political reformer, served the KOL off and on for 14 years, resigning in 1892 to return to his first love, the Republican Party. The national KOL office greatly constrained the right to strike, 1886–1887, and 200 employers promptly locked out their workers,



Grand Master Workman Terence Powderly, right, was more interested in land reform and prohibition than the eight-hour day and much preferred arbitration to strikes. But corporations seldom arbitrated. Secretary Charles Litchman, left, signed the 1887 charter applications, illustrating the growing small town base of the KOL after the great strike's failure.

FRED H. SCHMIDT COLLECTION, AR296

triggering another plunge in membership. The drastic decline in industrial/railroad centers around the country may have insured the demise of the Knights even had the Haymarket Riot not occurred. But it was Chicago's Haymarket clash that certainly sealed the fate of the KOL. And it vastly reinforced the false public and governmental impression that the nation's largely unskilled and semi-skilled workforce was dominated by anarchists and rioters, making it impossible to create a strong industrial union movement until the 1930s.

Convict Labor and the Texas State Capitol

In 1885 the Knights assisted the Granite Cutters' Austin local in their boycott against the use of foreign and convict labor in erecting the new state capitol. Stonecutters knew that if they worked with convicts and taught them the trade, as the Capitol Syndicate wanted, the union men would eventually be dismissed.



Competing with ultra-cheap convict labor, leased to private employers for a pittance, was impossible for union as well as non-union workers and was widely resented. Building the state capitol was the largest convict project, involving some 500 men. Convict Lease began phasing out in 1911.

TEXAS LABOR ARCHIVES

Austin granite cutters asked \$4 a day, while convicts cost 65 cents. The state retained the convicts. Half the Scots refused to break a strike. Recruiting foreign strikebreakers caused members of the Syndicate (including two congressmen) to be indicted for violating the Alien Contract Labor Law. Their trial was the first and most important prosecution by the federal government for violation of the law. The subcontractor was found guilty and fined \$62,000 and costs by the U.S. Circuit Court in West Texas. The boycott failed, albeit slowing the capitol's construction. President

Benjamin Harrison reduced the fines to a trifling \$1,000.

The Knights and the Farmers' Alliance

Despite defeat in the Great Southwest Strike, the Knights joined with Farmers' Alliance (FA) members, sometimes with the help of African-American Republicans, to run Independent candidates and some reform-minded Democrats against the Democratic establishment throughout 1886. At this tumultuous peak of the farm/labor movement in Texas, it elected some 30 legislators and dozens of aldermen and mayors—including Independent Mayor William Broiles of Fort Worth and pro-labor Democrat Dan Smith in Houston. Many bills supported by the Knights, Farmers' Alliance, and the railroad brotherhoods were introduced in the next session of the legislature, and now supported by farm and labor lobbyists, but nearly all failed. The FA dropped out of politics briefly, but by 1890 the Alliance and all elements of organized labor supported reform Democrat Jim Hogg for governor. *The Dallas Morning News* and *Galveston Daily News* smeared Hogg's followers as "Union Laborites, Anarchists, and Communists."

The Farm-Labor and Wage-Hour Movements

Texas Knights, shorn of their industrial assemblies, were increasingly agrarian and joined with many Farmers' Alliance members in the Populist easy-money challenge to the Democrats. The railroad brotherhoods and the growing craft unions in the new Texas labor federation remained Democrats and favored Governor Hogg—amenable to responsible unionism and peaceful collective bargaining as alternatives to conflicts between workers and employers. He established the regulatory Texas Railroad Commission. During the Pullman Strike in the West, 1894, Hogg was irate that President Cleveland sent federal troops to Chicago after the Illinois governor asserted they were not needed. Hoodlums hired by the railroads committed acts of violence pretending to be American Railway Union workers, prompting the troops and the courts to terminate Eugene Debs' strike. Hogg, Texas labor, and other Democrats, rejecting the Cleveland wing of the party, nominated agrarian spokesman William Jennings Bryan for president, 1896. The Populists (and Debs) also favored him.

Eight-Hour Day Movement

By the 1860s, most skilled craftsmen and government workers had a 10-hour day, but most Americans worked 10–16 hours and some 18, including women and children. The eight-hour-day arguments emphasized a new conception of equality based on economics rather than natural political rights or liberty. It implied the right to a living income and was the original core of liberalism's emphasis on fairness and social justice. Sam Gompers called the first general strike for eight hours for May 1, 1886, which resulted in some 200,000 receiving it, but the movement faltered because of the Haymarket Riot. It soon resumed, May 1, 1890, when over 46,000 AFL carpenters secured eight hours; almost all others got nine as did other crafts in the 1890s. Master Builders usually resisted but easily adjusted. Labor Day officially arrived in 1894. The six-day workweek, derived from the Hebrew Sabbath, remained the norm until the 1930s.

A Day in the Life of the Dallas Electrical Workers' Union

Dallas' Electrical Workers #69 minute book reveals various actions taken on May 3, 1898. The grievance committee was charged with visiting the street railway and requesting that it work a (union) lineman rather than a farmer on its tower-wagon (with ladder to service the wires). The farmer was replaced with an electrician, which satisfied the local's jurisdictional claim as well as improving overall safety. The committee was also instructed to approach the telegraph/cable company and have them replace a black man with a white man on one job, in fact, a white *union* electrician. American institutions—including unions, businesses, and politics—were permeated with racism at this time. The local also wanted the lineman at the ice/electric light company to refuse to accept less than a day's wages when laid off after working eight and a

half hours. The eight-hour day was not yet standard for Dallas electricians.

Working on the Railroads

A rare legislative achievement of labor was the 1887 statute that required payment of wages owed after a worker was no longer on the payroll. Unable to collect, Henry Wilson sued his former employer, 1888, and won in district court. The railroad took the case to the Court of Appeals. Judge J. Simkins tossed out the law as unconstitutional class legislation in 1892, writing a justification of classical candor: "Unquestionably, so long as men must earn a living for their families and themselves by labor, there must be, as there always has been, oppression of the working classes." Despite a few reform laws and anti-railroad jury decisions, a Texas railroad could fire a worker without cause, blacklist him for life in his profession, and, upon job termination, refuse to pay him what it owed him. All could occur without violating the displayed 1893 T&P contract.

Thurber Coal Miners

Upon taking control of the closed coal mines in Thurber in 1888, the Texas and Pacific Coal Company inherited a KOL strike by miners unpaid for months who were replaced. Thurber became notorious in the 1890s as a harsh, fenced-in company town. The miners were kept in peonage, paid so little that they had to borrow company scrip, discounted by 20 percent at the company store. Anyone suspected of union sympathies was invariably beaten by company guards and certainly expelled. Miners worked 12.5 hours per day, six days a week, in between times of no work and no pay (about a third of the year). They were not paid for pieces of coal that fell through a screen at the end of the day, about 20 percent of the total, even though there was a market for it. Thurber was an isolated town comprised mostly of Italians and Poles who grew increasingly restive.

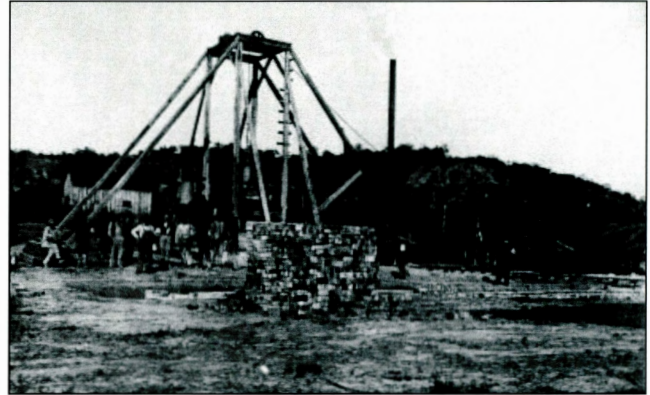
PROGRESSIVE ERA

1900 TO 1918

THE PROGRESSIVE ERA saw the rise of a new Texas State Federation of Labor, with a membership of about 8,500 in 1900 and some 50,000 in 1919. In its early years, particularly, under the guidance of C.W. Woodman, Walton Peteet, and others, it was more aggressive in lobbying for state legislation than the AFL was nationally and more aggressive in pursuing potent legislative allies, the Farmers Union, founded in 1902, and the railroad brotherhoods. The Texas State Federation of Labor (TSFL) did not affiliate with the AFL until 1903, probably because of these differences. Actual affiliation by the Farmers Union was an illusion. The AFL would only accept farm laborers who worked for wages, and in 1905 the Farmers Union—determined to be independent—purged its non-farmers. Their cooperation did promote considerable legislation, noted elsewhere—before the Farmers Union was undermined from within, prohibition divided the alliance, and the Red Scare ended reforms.

The Farm-Labor Movement

The peak of national political power for farmers was 1886–1896 and for labor, 1935–1975. It's been theorized that if they had peaked simultaneously, they could have transformed American capitalism. In Texas there was a steadier, more sustained peak in farm power with the Farmers Union, 1902–1911. Texas labor was strongest, 1935–1975, given the presence of widespread industrial unionism along with the crafts—but the 1900–1919 era was lively, too, with thriving railway brotherhoods, a proliferation of craft unions, two strong industrial unions in breweries and mines, and more added during the war. Had the TSFL, brotherhoods, and Farmers Union been able to truly unite with each other, transcending structural/organizational issues, they might have altered the political economy of the state. Walton Peteet was a leading member in the TSFL and the Farmers Union, briefly, but no one man's talent was sufficient to overcome the centrifugal forces that insured separation.



This derrick may be supporting a large auger to drill a shallow water well lined with bricks in Thurber. The Snake Saloon had a booming business after working hours, as did the general store and its bar (1909). Many miners and wives joined various social clubs, including the Odd Fellows.

THURBER, TEXAS PHOTOGRAPHIC COLLECTION, AR88

Thurber Mine Workers

By the late 1890s the United Mine Workers (UMW) had organized mining towns near Thurber, Texas, and soon began sending organizers secretly into Thurber. A Mexican or Tejano organizer disappeared in 1903, a week after venturing into town, and rumors of his murder spread. An Italian organizer was smuggled in successfully and began to make immediate covert progress. Despite the arrival of Rangers, a unionization campaign began, operating openly outside of town and tapping into the smoldering resentment. Some 1,400 miners soon marched out of Thurber to nearby Lyra and joined the UMW, which demanded a pay raise, eight-hour day, discharge of the armed guards, and removal of the company fence surrounding the town. The company was far less successful in importing strikebreakers than in 1889. In less than two weeks a union contract was negotiated, peacefully and, indeed, cordially. The owning Gordon family adapted to the changing conditions.

The fence remained, and the company still owned all buildings—with housing often ramshackle, as displayed—but other union demands were met. Every worker in town wanted a union. One of the organizers, C.W. Woodman, secretary of the Texas State

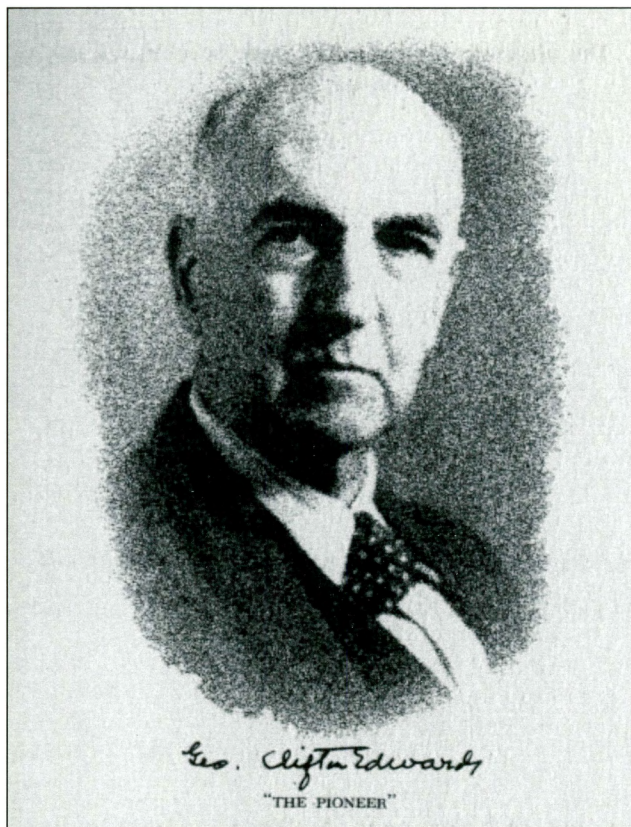
Federation of Labor, suddenly found himself having to negotiate contracts for the brick-makers, carpenters, clerks, meat cutters, bartenders, and various unskilled hands. Neither Woodman, a typographer, nor the company representatives had any real notion of what the union scale was for these varied crafts, and the initial contracts were exceedingly generous to the men. Woodman had to go back to them a few days later and inform them their negotiated pay was out of line. They readily agreed to accept prevailing wages. Thurber became an all-union town and thrived for nearly two decades until Texas coal lost its market after World War I.

George Clifton Edwards and Child Labor Laws in Texas

George Clifton Edwards (1878–1961) educated Dallas' cotton mill slum children for years and persuaded the school district to launch a night school, 1902. He helped pass Texas' first child labor law, 1903. The campaign to abolish child labor prompted the *Dallas Morning News* to defend it since it taught boys how to work. Edwards became a lawyer, and from 1904–1912 he edited the *Dallas Laborer*, the first official organ of the Dallas Trades Assembly. He failed in an effort to secure a \$2 minimum daily wage for city workers in 1908 and also failed in his campaign for mayor on the Socialist ticket in 1913 in which he received 36 percent of the vote. Other editors of Texas labor newspapers resented his politics. He defended black clients. By the 1920s he was “the” lawyer in Dallas for organized labor, the ACLU, and the NAACP, in addition to taking on many impecunious clients.

Labor Reform Legislation

One night in 1909 in the rail yards in Temple, hostler J.D. Howard was accidentally killed by a train driven by his two assistants. All were fellow servants performing the same jobs, but the Texas Supreme Court ruled that the assistants were his fellow servants, yet he was not theirs—a draconian interpretation of the 1890 fellow servant law. Thus, only the two penurious assistants were liable. The law held that if all parties were engaged in operating a locomotive, all could recover damages in an accident. But Howard was not aboard! Had he been on the engine, or working in connection with it, or managed to cling to the wheels or axle in his



George Edwards, a federal judge, wrote a memoir about his father and family. He notes his father was a fierce advocate of the right of labor to organize. He also campaigned against poverty and pioneered the practice of poverty law in Dallas. He was even kidnapped by the Ku Klux Klan.

PIONEER-AT-LAW, GEORGE EDWARDS

death throes, his family would have been compensated. The Texas Supreme Court blathered on about the perils of railroad work and congratulated itself on its reversal of the lower courts as reflecting a “wise policy.”

Shopmen on the Southern Pacific struck for bargaining rights and to raise their declining piecework wages. In San Antonio, 1912, engine 704 mysteriously exploded, killing 40 men (judging by the body parts). The newspapers quickly blamed strikers for dynamiting the boiler, but a federal commission discovered the explosion was caused by the failure of an inadequately trained strikebreaker to adjust a safety valve. In Texas (and other states) events such as the Howard case and the San Antonio explosion compelled the railroads to finally agree with the brotherhoods on the need for a system of workmen's accident compensation administered by the state. The 1913 law assumed that establishing job injury insurance would incentivize employers to

promote safety. But the premiums were so minuscule that many were unimpressed with the economics of job safety. Massachusetts adopted accident compensation and, two years later, a law to enforce safety standards. Texas waited 54 years.

Effects of Legislation on Organized Labor in Texas

Legislation began to have an impact on labor in the 20TH century. The conservative state government was determined to erase as much of the Texas electorate as they could get away with to prevent any future populist heresies. A few economic progressives, including one or two labor leaders, concurred with this policy thinking it would free Anglo Texans to vote along economic lines (which they falsely assumed was always foremost in voters' minds). Ethnicity would cease being a complication since minorities would lose the franchise. The white primary law, 1903, barred blacks from voting in the all-important Democratic Party primary, but some blacks and many Tejanos continued voting as parts of Anglo-dominated political machines. The poll tax, 1903, effectively discouraged poor whites as well as minorities from voting, drastically reducing the electorate for decades, and cities piled on with their own versions. Organized labor immediately began demanding repeal.

During the Progressive era, Texas governors signed much legislation that labor wanted. Governor S.W.T. Lanham (1903–1907) approved the first child labor law, limited the consecutive hours of railway employees, banned corporate scrip payments and coercion in patronizing company stores, provided covered areas for motormen, and signed about a dozen laws improving railroad safety. Governor Thomas Campbell (1907–1911) signed a corporate franchise tax, phased out the leasing of prison labor competing with free labor, protected longshoremen from exposed metal ties and bands on cotton bales, and approved railroad safety and maximum-hour laws, mine inspection and safety laws, two anti-blacklisting laws, and others, and he established the Bureau of Labor Statistics. The 1911 popular vote against prohibition split progressives, including labor (but most favored the right to drink). Governor Oscar Colquitt (1911–1915) signed a stronger child labor law, the maximum-hour law for women, and workers' accident compensation.

The TSFL lobbied jointly with the railroad brotherhoods through their Joint Labor Legislative Board (JLLB), founded 1903, and with the Farmers Union, founded 1902. But by 1911 the Farmers Union was infiltrated by the Commercial Secretaries Association. The JLLB foundered as the railroad brotherhoods withdrew, 1914, when the federation demanded an enlarged board. Progressivism was not always evident anyway: Lanham also approved the poll tax and white primary; Colquitt tried to veto an eight-hour bill for state employees but failed by waiting a day too late. Governor Ferguson's agenda, supported by the TSFL, included the free textbook law, a requirement that such books be printed in Texas, regulation of private employment agencies and loan sharks, extension of the 54-hour law for women to include cotton mills and textile factories (where most of them worked), and the requirement of semi-monthly payday for establishments with more than ten employees. Labor opposed his impeachment in 1917.

C.W. Woodman, Labor Reformer

C.W. Woodman was born in Maine, 1864, and learned the printing trade there. An early leader in the Texas State Federation of Labor, he seems to have been its first organizer. He was instrumental in organizing the Thurber miners in 1903, discussed elsewhere. He moved from San Antonio to Fort Worth at that time and bought the *Union Banner*, but could not confine his energies to the shop. From 1903 until World War I, Woodman served as unofficial mediator of labor-management disputes in Fort Worth because all parties had the utmost confidence in his fairness (first displayed in Thurber). He also spent time in Austin as a labor lobbyist and in 1913 had a large role in enacting the eight-hour law for state employees. He was a government conciliator in World War I and remained influential as an unofficial mediator in Fort Worth in the 1920s and 1930s.

Organizing the Unorganized

Port Arthur's report to the TSFL convention, 1913, shows the breadth of organization at the time, estimated at 75 percent of those working for wages in town (and earning 20 percent more than the unorganized). Most are skilled trades, but they had an uplifting effect on unskilled and semi-skilled: timbermen's benevolent,

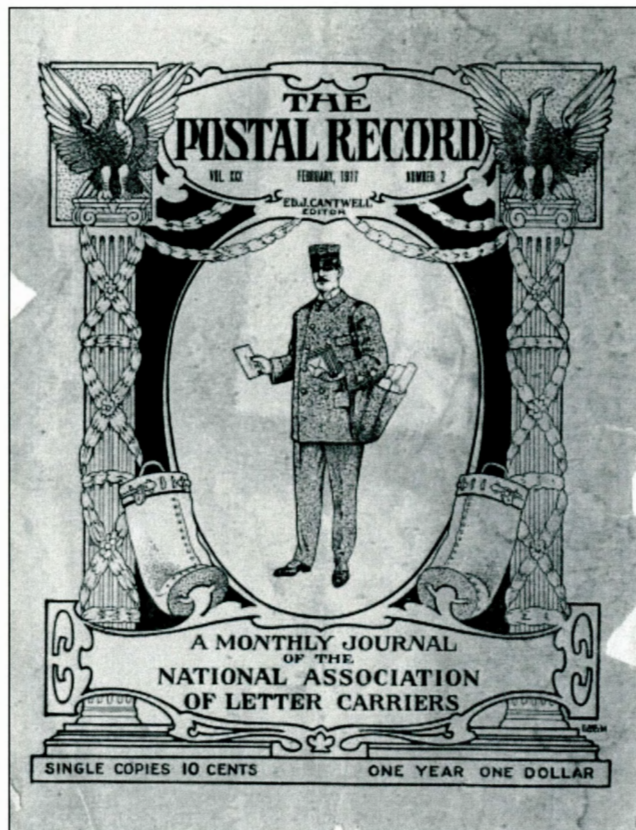
100 percent organized and nine hours; cooks and waiters, 80 percent organized with a good scale and working conditions; oil workers, 69 percent, had the highest wages for their class of work in Texas; two black locals fared much better than their state average. The Woman's Union Label League was quite active. There had been no strikes, no loss of friends; the mayor openly admitted he owed his election to organized labor. The labor council always proposed conciliation and arbitration in disputes, often a good solution—and if employers didn't accept it, a strike could take on the appearance of being an unfair lockout by management.

The Post Office—Example of Federal Workers

The Postal Record notes that rural delivery service routes had been lengthened and pay withheld, part of the disorganization and chaos in that department. In the city delivery service entrenched leaders spied on office employees through peepholes. The toilets were without doors and workrooms unsanitary, unventilated, and inadequately lighted. The men preferred eight hours instead of the constant unwanted overtime, despite the extra pay. The civil service in general still had no retirement program. The National Association of Letter Carriers had its own disability insurance program—disbursements in 1916 included three Texans in Dallas and San Antonio who collected \$120 total. There were about 200 disbursements of nearly \$6,000 that year. A carrier of \$1200 grade in Newark wanted to transfer with a carrier or clerk in San Antonio or in another Texas city. A report from Fort Worth noted low pay with all employees having to provide their own uniforms.

The Waco General Strike

In April 1918 the absentee owner of the Texas Electric Railway in Waco made concessions to the 123 men who had struck for recognition of their union. Frank Strickland of Dallas increased compensation slightly so that it was average for Texas (veteran drivers now made \$0.32/hour). The 9–12 hour work shifts were average. But Strickland would not talk to his own men, much less to Waco businessmen and citizens attempting to mediate, or to state and federal mediators. He was paying strikebreakers far more than his men would have earned. The strikers agreed to return with one condition—the right to organize and deal with the



The Postal Record complains about wages, hours, and conditions in 1917. Rural routes were lengthening as Rural Free Delivery had not yet reached all of the Southwest, and payments to carriers were in arrears. The pay in the cities of some (\$100/month) was low, and forced overtime was resented by carriers and clerks.

NATIONAL ASSOCIATION OF LETTER CARRIERS,
FORT WORTH, AR83

company through committees of employees, expressing agreement not to ask for a closed shop contract. That was in keeping with federal labor policy during World War I, but Strickland would not budge. On April 22, 1918, Waco was shut down by a general strike.

Some 2,350 workers from 27 unions walked out in the city and the nearby Army camp in sympathy with the street car drivers. Electricians and carpenters performed some necessary work in the city and camp. But work stopped and stores were closed (by the Retail Clerks). The unions returned to work in mid-afternoon of April 25th. General Charles Barth from Camp MacArthur expressed appreciation for the conduct of the strikers and thanked them for calling it off. A town of about 36,000 was shut down for four days, a rare act in American history, especially given its illegality during wartime. Newspapers, other than Waco's, dismissed the "general strike" as though it was an everyday occurrence.

Waco was relatively unknown and not a defense production center. There was no violence. Camp MacArthur was merely inconvenienced. And the public was more focused on the German Army, still advancing in its spring offensive.

Houston Workers and World War I

During World War I, metal trades unionists in the defense industry successfully organized and considerably improved their wages and hours, without strikes, under the auspices of the federal government. Many of these machinists, blacksmiths, boilermakers, and pattern makers were located in Houston. The wage increases did not keep up with the rate of inflation, and, just after the war in December 1918, the National War Labor Board conciliator attempted to persuade Hughes Tool and 14 other manufacturers with federal defense contracts to raise wages. The mayor of Houston offered to mediate. Instead, the manufacturers, through the local Chamber of Commerce, established a job referral service for all veterans discharged in Houston. They blamed the ensuing strike of some 400 AFL tradesmen on the radical Industrial Workers of the World (Wobblies), a false accusation, and recruited strikebreakers from the Midwest. The progressive era for Houston's metal trades was collapsing before the end of 1918.

Houston Labor Council minutes, February and June 1918, reveal United Brewery Workers (UBW) #111 struggling with the effect of the war on alcoholic beverages. On February 19, 1918, the local warned that the legislature was about to kill alcoholic sales within 10 miles of army training camps, which would impose (the horrors of)

prohibition on virtually all Texas cities. Upon President Wilson's advice, Congress had outlawed liquor production but not that of beer and wine. The UBW petitioned the council to ask the state government to exempt beer and wine also. Patriotic workers' rights and jobs were at stake. By June 18 the UBW was prudently organizing soft drink workers and ice plants, sensing that total prohibition was imminent. Other unions thrived: ship carpenters, machinists (who had organized shops with federal defense contracts), barbers, hoisting engineers, boilermakers, electric workers, iron molders, and printing pressmen. Some painters could not find work.

Organizing Tejano Workers

Clemente Idar worked with Tejano railroad workers affiliated with the AFL in Laredo in the 1910s. He and Sam Gompers attended the Pan American Federation of Labor conference there, 1918. The ostensible purpose was to unify workers on a hemispheric basis, partially by having the AFL and the TSFL organize Mexican-American workers, a major change in policy. Gompers had to acknowledge the AFL's racist practices against Mexican-Americans, and he appointed Idar as a general organizer for the AFL, operating mostly in Texas. Gompers, and probably President Woodrow Wilson, thought Texas was the key site for forging an alliance with Mexico's labor movement. Wilson hoped Gompers and Idar could work with the powerful Mexican unions to win Mexico's president, Venustiano Carranza, to the Allied cause in the war. Afterwards, Idar helped repatriate unemployed Mexican agricultural workers who had gravitated to Texas cities. The AFL, like the American public, remained anti-immigrant.

HARD TIMES

1919 TO 1940

HARD TIMES BEGAN IN 1919 as unions demanded higher wages to cope with soaring prices, but many businessmen in Texas responded by establishing open shop (os) associations, often inspired by local chambers of commerce.

Beaumont, a strong union community, embraced low wage open shop conditions in three months with no hiring of union members allowed. After Governor William Hobby broke the Galveston longshoremen's strike as well as local government with the National

Guard, the Open Port Law made illegal any interference with the free passage of commerce. It was struck down as an unconstitutional invasion of local rights in 1926. But OS triumphed. TSFL membership of some 50,000 as late as 1920 was cut in half by 1922 and remained near that level into the Depression years. With New Deal legislation and renewed union organizing (e.g., among oil workers and longshoremen), the open shop began retreating in the mid- and late 1930s. But the Depression lingered until 1940.

Women's unions other than the Garment Workers were wiped out. Many public school teachers were still being paid pre-war salaries and were fed up with "gentle requests met by soothing promises." Elementary school teachers made less than waitresses. AFL teachers' locals were established in four Texas cities by 1919, but they were eliminated by the climate of the times, threats, and soothing promises. By 1919 women telephone operators' locals, as in Port Arthur and Palestine, lacked the financial resources to survive strikes to obtain even modest gains. Some 500 laundry women in El Paso formed an AFL local and struck for the reinstatement of two leaders who had been fired and for higher wages. It was an early display of ethnic and union solidarity among Tejanas but doomed by available strikebreakers. In most of these events the OS forces and political opportunists labeled strikes, unions, immigrants, and minorities as communists.

Texas labor was in turmoil. It helped pass women's suffrage and the long-desired minimum wage provisions for women and children—the last hurrahs for reform, signed by Governor William Hobby. Most of labor did not consider prohibition a reform, but most other progressives did. Red Scare forces, however, caused a growing uneasiness with social changes. At the 1919 TSFL convention a resolution against discrimination by race, color, or creed was voted down. Progressive President Ed Cunningham lacked the votes for reelection. Later, as women and children testified in different cities about their pitiful wages, employer backlash caused the legislature to eviscerate the minimum wage law. New TSFL President George Slater opined that venturing to protect unorganized women and children just created more enemies. In El Paso, one location where women testified, some labor leaders who had backed

the laundress strike withdrew into a local alliance with the rising Ku Klux Klan.

Open Shop

Neither the Fort Worth nor Amarillo chambers of commerce embraced open shop (OS). The Houston chamber tabled it, the only discordant note amidst a long list of achievements in the OS newsletter. Beaumont businessmen journeyed to Port Arthur on behalf of OS, but the merchants there refused. The Fort Worth Open Forum was organized by business, labor, and many other leaders, clearly inspired by Woodman's work, and Woodman was still part of it. Woodman's *Union Labor Review* shows Fort Worth could not entirely escape the Red Scare in 1919. Federal Conciliator Joseph Myers' letter from Fort Worth to the Labor Department shows the breadth of building trades restiveness, but strikers were not allowing it to affect electric power delivery to Camp Bowie and the wounded soldiers there. The Forum was most helpless in 1921 during the Butcher Workmen's strike (spread over 15 states) to restore the eight-hour day and union recognition.

San Antonio, Beaumont, Austin, Dallas, El Paso, and other U.S. cities adopted OS. Construction trades were the original targets, but it was other unions, (e.g., the black lumber workers in Orange, butcher workmen in Fort Worth, oil field hands in the Houston area, and women's locals) that were wiped out. The Butcher Workmen had won the eight-hour day, equal pay for women, and a pay raise, but they were largely unskilled and dependent on federal wartime controls. The building trades hung on and made the best of the situation. An open shop was theoretically available for all workers, but in reality all OS offices forbade their employer members from hiring any union hands. They did not favor individual choice on union membership but unrestricted power over workers. The Jefferson County Open Shop Association seemed to be nothing more than a shake-down racket with virtually all its income spent on salaries.

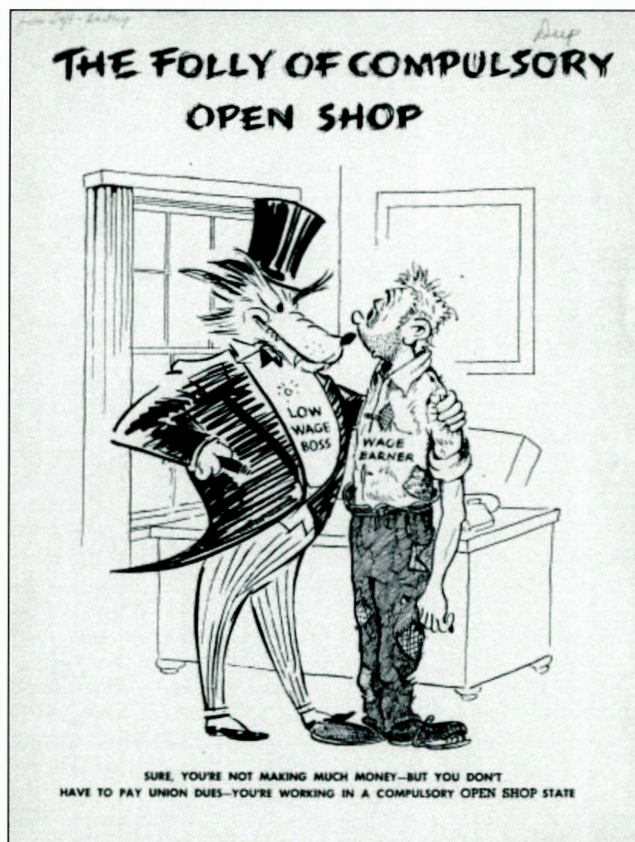
Crises and Strikes

San Antonio Carpenters #2169 (millmen) struck October 22, 1919—voting 46–24 to persuade local mills to sign a new higher wage contract. Alamo Planing Mill did sign

and was exempted from the new scale until the strike was won. By November 1ST the members were contemplating calling off the strike while also voting to fine those who had gone back to work pending their trials, but all except two pledged to “strike to the bitter end.” The financial secretary was seemingly derelict and had to be replaced, November 6. On the 13TH the chairman of the strike committee reported everything was “fine.” The members wanted full attendance at the forthcoming called meeting but voted down a \$5 fine for being absent. At the special meeting November 17 the strike was called off, 27-5. (Minutes don’t tell everything, but the reader senses turmoil about this strike from the beginning.)

Given labor’s hard times, the Legislative Assembly of the Brotherhood of Railroad Trainmen (BRT), 1921 (representing 10,000 in Texas), met for the first time in five years. One crisis was “the enormous flood of immigration from Europe and Mexico” supposedly causing Americans to lose their jobs. Some were lost, of course, as well as created, though it seems doubtful the BRT was impacted much. Racial and ethnic discrimination was probably a larger factor among railroad workers and Americans in general. All were urged to pay their poll taxes (still resented) to support the reborn farm-labor movement, 1921-1924. Another resolution criticized the Supreme Court, also caught up in the anti-labor spirit of the day. It interpreted the Clayton Anti-Trust Act, a Wilsonian reform from 1914, as allowing the prosecution of labor unions as monopolies in restraint of trade. Congress was urged to amend the law. It did not.

In 1922 machinists and other railroad shopmen across the nation struck against contracting out, a series of wage cuts, and the abolition of overtime pay. Governor Pat Neff, facing a strong farm-labor opponent and wary of losing all the labor vote, sent no troops to break up railroad logjams. The day after the primary, Neff broke the strike with force under the Open Port Law. His Commissioner of Labor, attempting to arrange a settlement, resigned in protest. Fort Worth churches donated cash to the strikers. In some places outside Texas the railroad brotherhoods and strikebreaking college students kept trains running. The U.S. Attorney General secured a federal district court order that forbade all activity nationwide by the union or sympathizers! It was the most sweeping injunction ever issued in a labor



In Palestine, a strong union town, the open shop campaign was maneuvered by Postmaster General Albert Burleson, whose first target was the telephone company’s union linemen and “girl operators.” Their third strike shut down telephone service August 14 to October 18, 1919, and caused many sympathy strikes, but employers held out and won.

GEORGE GREEN COLLECTION, 2006-37

dispute. Of the 400,000 organized in the railway shops, 175,000 were forced into company unions, open shop conditions.

Open Shop Begins to Falter

Dallas Electrical Workers #59 staved off the open shop, maintaining a closed shop by 1923—but southern union men were drifting through and accepting wages below scale in Dallas. The new governor, Dan Moody, had been an IBEW lineman and favored the establishment of a Texas electrical inspection department that the public deserved, 1927. The business agent endorsed the Dallas ordinance requiring all men engaged in the electrical business to pass a city examination. By 1929 the local had a five-day week and \$11/day but lamented that the Chamber of Commerce and the Open Shop Association were still trying to lure industries from

the North by touting Dallas' cheap labor. It concluded, "We are holding our own, but gaining very little." The lean times continued during the Depression, but the building of the State Fair employed thousands of union craftsmen, including hundreds of electricians who worked through Local 59.

In the 1920s Baytown Standard Oil (Humble) maintained a company union of 6,000 whose leaders had been bought off with supervisory jobs. The phony union took credit for a few safety and recreational improvements, but wages, hours, and conditions were static. The New Deal's National Recovery Administration, 1933, suspended the anti-trust laws, allowing industries in each line of business to fix wages, prices, and production quotas and required them to cease discriminating against unions and to bargain with any unions that might be organized. Before a real union existed and before the oil industry's pay raise was to be implemented, Humble granted a \$.065/hour pay hike to the company union representatives—one of whom, Robert Oliver, had just been elected. Oliver demanded more, leaving the other representatives speechless and prompting the company to reprimand Oliver. Humble wanted the raise viewed as emanating from the company rather than the government.

Texas Labor during the New Deal

At the 1934 TSFL convention, Wallace Reilly, editor of the *Dallas Craftsman*, defeated George Slater for the presidency. Slater had been too ill for years to function well. Twice as many delegates arrived as had been expected, many of them oil workers from east and southeast Texas who demanded organizing help and political action. Reilly reestablished the Joint Labor Legislative Board with the railroad brotherhoods, which worked with Governor Jimmie Allred (1935–1939), to adopt the prevailing wage law (Davis-Bacon), an amendment that made the eight-hour law more effective, a law that provided that prison-made goods were labeled as such, and provided laws requiring boiler inspections, the extension of employment services to all parts of Texas, and a minimum wage of \$150/month for firemen. Sales taxes were voted down. Allred appointed an industrial commission to inquire into the causes of strikes. Reilly helped write the Unemployment Compensation Act of 1937.



Both Governor Allred and the Texas League for Municipalities asked Wallace Reilly to seek more WPA construction money. He was the spokesman for the five men who told President Roosevelt personally that 35,000 skilled laborers in Texas were unemployed and not on relief rolls, among other problems. Another \$10,000,000 was allocated.

WALLACE C. REILLY ORAL HISTORY

John L. Lewis of the United Mine Workers and Sidney Hillman of the Amalgamated Clothing Workers pulled industrial unions out of the AFL in 1936–1937 and formed the Congress of Industrial Organizations (CIO). Even after the passage of the Wagner Act guaranteeing collective bargaining and establishing the National Labor Relations Board, William Green and other Federation leaders refused to organize the great basic industries of the nation (e.g., auto, steel, packinghouses). The oil refineries, where the AFL had a toehold, were not really challenged, and their employees were restive. Robert Oliver of Baytown and Morris Akin of Port Arthur became organizers for the CIO oil workers. Their efforts were crushed by accusations of communism by the press and Congressman Martin Dies, company spies in the ranks, and the economic downturn in 1938. Sugar refinery hands and the

National Maritime Union secured contracts, but most organizing had to await the war.

Left-Wing Rebellions

Longshoreman Gilbert Mers' *Working the Waterfront* recalls the tumultuous history of workingmen on the Texas coast, 1929–1960s. Fiery arguments and occasional violence marked the rank and file (mostly left wing) rebellions against corrupt high officials of the International Longshoremen's Association (AFL) and the Seafarers' International Union (AFL). Often accused of being a communist, Mers would jump to his feet and protest eloquently. He was about to do so in one convention in 1936 when he suddenly remembered that he had joined the Communist Party the week before. Mers' efforts in the Maritime Federation of the Gulf helped establish the National Maritime Union (CIO) for seamen, opposing SIU Agent Wilbur Dickey. Communist and Wobbly influences faded considerably in the 1940s because of the cynical peace pact Stalin signed with Hitler, the availability of high-paying wartime jobs on the home front, the men's dispersal by the war, and continued post-war prosperity.

Goons of the Ford Plants

The United Auto Workers knew that Henry Ford would be the toughest obstacle in organizing the industry and that the main effort had to be made in the Michigan heartland. Yet events at the obscure Dallas Ford plant had an impact on the national situation. It abused its workers along with the rest of the industry—working them 12 or more hours/day and only paying for eight, speeding up the line beyond men's endurance, and ignoring injuries and grievances. All Ford plants hired husky goon squads to patrol inside and outside the factories in search of union sentiments. Anyone suspected of union sympathies (and not just in the auto industry) was, generally speaking, to be beaten senseless and, of course, fired if he was an employee of Ford. No hint of unionism was found

inside Dallas Ford, but the outside squad was busy in 1937. Beatings began to occur, often in daylight.

Two Dallas businessmen, twin brothers, had no connection to unions, but one of them openly supported unions in conversations with a Ford worker. The outside squad thought they caught him (except they had the wrong twin) and beat him so badly that he died four months later. Textile industry organizer Herbert Harris was knocked unconscious, tarred and feathered, and dumped on the doorstep of the *Dallas Morning News*. Governor Jimmie Allred's Texas Rangers shut them down. One outside squad member eventually talked to the NLRB, which held public hearings in Dallas in 1941, with the sordid story making national headlines. Meanwhile, a strike closed Ford's main plant, the government threatened to cancel production contracts, and Clara Ford threatened to divorce him. These four developments converged upon Ford when he told his chief slugger, Harry Bennett, to "give them whatever they want." Ford and the UAW have been drawing up contracts since 1941.

Tejanos Hit Back

Pecan shelling was a labor-intensive industry in San Antonio that began during the Civil War when Tejanos were hired to crack the nuts with railroad spikes and pick the meat with tow-sack needles. A mechanical cracking machine was introduced in the 1880s, but picking was by hand. The work paid \$10 to \$12 for a 50-hour week in the 1920s but dropped to \$2.50 during the 1930s Depression. Hours increased dramatically to the limits of endurance. Shelling rooms were filled with a fine brown dust, and sanitary facilities were mostly absent. A \$0.01/pound reduction in piece rates—a 20 percent cut—triggered a spontaneous walkout of 5,000 workers February 1, 1938, joined soon by other thousands. The Cannery and Packing Workers (CIO) took control and soon eased the fiery young Communist, Emma Tenayuca, out of the leadership. San Antonio police beat and gassed strikers and invaded private homes.

THE GOOD YEARS

1940 TO 1975

THE GOOD YEARS began on the home front with wage and hour gains during World War II, in a regulated market that allowed much collective bargaining and no strikes or lockouts. Corporate profits soared. Workers' productivity (output per worker per hour) increased markedly. But even wartime wage increases did not keep up with soaring prices. Post-war strikes tended to push real wages up. The war and its immediate aftermath were something of an aberration. Historical statistical studies since then commence shortly afterwards and bring the information up to date. Between 1947 and 1973—roughly the one period of union strength in U.S. history—productivity increased by 97 percent and workers' compensation (wages plus benefits) by 95 percent. In 1970 about 25 percent of the nation's workforce was unionized; in Texas it was 14.4 percent. Probably over 90 percent of Texas' commercial construction jobs were union. The middle class generally prospered.

Organizing

Much of the manufacturing base of Texas was organized during the war by CIO industrial unions as well as by Machinists and Operating Engineers from the AFL. The Oil Workers and the Operating Engineers contested several oil refineries, with the OWIU winning contracts in 1942. Another major victory was at Gulf in Port Arthur, 1943, where the union defied the police chief's terrorist tactics. The federal government established the National War Labor Board (NWLB) to settle defense industry disputes and stabilize wages. Neither strikes nor closed shops were allowed, but the maintenance of membership policy, in effect, encouraged union membership. Unions had to win majority votes in the plants to achieve collective bargaining rights. Many negotiations and disputes were referred to the NWLB. But after weeks of futile negotiations at Pasadena Shell, 1943, the men walked out spontaneously. The union had to talk them back in, winning a contract in the process.

Resistance to Labor Revival

The revival of the Texas labor movement generated anti-union state legislation beginning with Governor W. Lee O'Daniel's anti-violence act in 1941. It forbade the use of force or threats of violence to prevent anyone from working and outlawed assemblies near any place where there was a labor dispute. A picketer who violently prevented a strikebreaker from entering a plant was committing a felony and could be imprisoned for two years. Violence against a picketer by a strikebreaker was a misdemeanor. The law was unconstitutional and failed legal challenge, as did most of the regulatory Manford Act, 1943. The right-to-work law, 1947, forbade compulsory union membership in a unionized site even though federal law required the union to represent all the workforce, and all benefited from the union's collective bargaining efforts. It is incorporated in the Texas anti-trust law, 1983. Right-to-work prevails in 26 states.

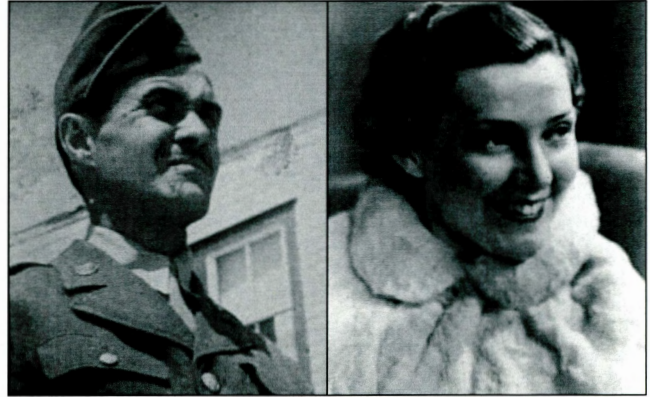
The anti-labor, anti-New Deal, anti-Semitic, white supremacist forces reached an all-time low point in 1944 when their Texas Regular movement nearly kept Franklin Roosevelt off the presidential ballot. Lt. Governor John Lee Smith and Governor Coke Stevenson did not openly participate, but it was their friends who launched the movement. Senator O'Daniel and Congressman Martin Dies campaigned vigorously for the Regulars, but they were staved off by unsung labor and liberal forces and loyal Democratic leaders (e.g., Jimmie Allred, Sam Rayburn, and Lyndon Johnson). Smith ran for governor in the Democratic Primary, 1946, excoriating academic freedom at universities, labor unions, and civil rights organizations—all of which seemed to be gaining strength. Smith labeled them all as communistic, but he lost to mainstream conservative Beaufort Jester. Johnson, with labor support, defeated Stevenson for the Senate in 1948. Smith, O'Daniel, and Stevenson never won office again.

Civil Rights and Coalitions

Blue Texas is the history of community organizing, strike actions, and civil rights activism from the 1930s through the 1960s. It was an era when labor, white liberals/leftists, African Americans, and Mexican Americans came together in fits and starts, battling conservative resistance to change as well as the extremist Red Scare. In Houston in the 1950s, for instance, Harris County Democrats (HDC) represented white liberals; the Civic Action Committee (CAC), Tejano professionals and union men; and the Harris County Council of Organizations (HCCO), the political wing of the NAACP. This Democratic Party Coalition enjoyed some local and state successes, especially in establishing integration, minority rights, and political rights—and winning some elections and strikes along the way. But the efforts were not enough to prevail. Coalition groups, and potential groups, are still in place—organized labor among them—but they await a spark and leadership to challenge the status quo.

Organizer George Lambert was beaten into unconsciousness by Ford thugs in Dallas in 1937 and, soon thereafter, was a key leader in the San Antonio pecan shellers' strike, jailed frequently on phony charges. Congressman Maury Maverick supported the strike, and George and Latane Lambert were involved in his losing campaign for re-election, 1938, and his winning campaign for mayor, 1939. The latter marked the beginning of the coalition of labor, Anglo liberals, and minorities, which collapsed along with the pecan sheller movement, but was revived later with different unions. Lambert was in the Army, 1941–1946. Most of their paid work was with the needle trades. Their precinct-and-block-level interracial coalition building in Dallas, mid-1950s, was a template for labor in politics. Their leadership in the Tex-Son Strike, 1959–1962, re-energized San Antonio labor. They were involved in the failed 1963 effort to repeal the Texas poll tax.

Moses Leroy was hired as a freight handler for the Southern Pacific in the early 1930s and began a battle of over three decades for equitable treatment by the road and his Railway Clerks union. He was forced to join the freight handlers and porters auxiliary of the Clerks, and their policy was that he could never move to a better Southern Pacific job. Leroy and other



In Dallas, 1951–1957, the Lamberts worked as freelance organizers/leaders for a wide variety of causes and groups, including the NAACP and the Texas Social and Legislative Conference. As Max Krochmal writes, “labor, civil rights, and political action blended seamlessly” in their daily lives. Dallas’ Red Scare did not touch them.

GEORGE AND LATANE LAMBERT PAPERS, AR27

blacks were not even allowed to attend a national convention until 1955. Many blacks were fired in the process of trying to get better jobs in the company. The breakthrough came with the Civil Rights Act, 1964. The tenacious Leroy still had to sue the Southern Pacific line and the union, utilizing the Equal Employment Opportunity Commission. The result was the integration of the workplace, the hospital, and the credit union. Resisting to the end, the Clerks maintained his seniority was only with the handlers. They lost that battle, too.

Sick Chickens in Texas

In Center, Texas, processing plant workers were on their feet 10 and 11 hours per day at the minimum wage of \$0.75/hour with no overtime pay—in between times of no work at all. Workers’ hands became bruised and swollen, with fingernails often turned inside out, but there was no grievance machinery, and no one on the line was allowed to switch to a different plant job. One worker’s letter in 1953 to the Amalgamated Meat Cutters sparked a tortuous organizing campaign that stirred racial and class tensions, triggered a national boycott, and persuaded the union to launch a drive to reform the entire U.S. poultry industry. Union leaflets and broadcasts exposed the loathsome conditions of birds coming off the lines, not inspected, and shipped out of Center and other sites. Two bombings and a fire in Center did not deter the union organizing campaign or the boycott.

Various health officials and scientists, backed by the labor movement, noted that a third of listed cases of food poisoning were traceable to diseased poultry. Congress, which had not included the small poultry business in the Pure Food and Drug Act, 1906, acted in 1957 to regulate the large commercial industry born during the war. The Poultry Products Inspection Act, in order to assure the wholesomeness of products, established compulsory federal inspection of all poultry moving across state lines and in foreign commerce. In one Center plant wages, hours, and conditions vastly improved under its union contract, and there has not been another strike since, while the other plant, losing its markets, preferred to go out of business rather than clean up and deal with a union. Unfortunately, the definition of wholesomeness and the number of inspectors varies with different national administrations, nor is there any inspection of microbiological contaminants.

One Occupational Disease

Occupational diseases were not even considered injuries under Texas law until 1947 when limited coverage was extended for 15 diseases, including asbestosis. A modern measure passed in 1973. The Pittsburgh Corning Plant in Tyler processed raw asbestos, 1954–1971, used for pipe insulation. Workers toiled for \$1.40/hour in a constant blizzard of razor-sharp asbestos. They joined the Oil, Chemical and Atomic Workers Union, 1962, and plant conditions attracted the attention of its legislative director Tony Mazzocchi—who eventually exposed the “silent killer.” He utilized medical studies and finally OSHA in proving that asbestos was causing cancers in workers in the plant and people around it. Paul Brodeur’s *Expendable Americans* details the story (summarized by Roy Evans’ *Tragedy at Work*) of “corruption and suppression of public investigations,” but also courageous researchers and doctors. A lawsuit was settled for 445 employees for \$20 million, 1978, but hundreds of others apparently received much less.

Liability in 1973 was placed on the last employer, and insurance companies were only liable to pay compensation for the number of weeks an occupational disease causes disability unless it is the sole cause. Over 2,400 lawsuits were generated from the plant in the 1970s and 1980s, and hefty judgments were sometimes levied against South African and British firms that supplied

the poisonous mineral, the culpable U.S. government, and Pittsburgh Corning. But it’s not clear that other former workers and nearby people collected much since the foreign companies and the U.S. government did not participate in another major lawsuit. Pittsburgh Corning settled 200,000 claims by 2000, involving many others besides those from Tyler, with another 235,000 claims pending. The company took bankruptcy in 2000 and emerged from it in 2016 with an Asbestos Personal Injury Settlement Trust of \$3.5 billion. Many, if not most, original claimants are deceased.

Senator Ralph Yarborough

“Ralph Yarborough did more for the working people of this country than any United States Senator from Texas in our state’s history,” according to Harry Hubbard, president of the Texas AFL-CIO in the 1980s. As chairman of the labor subcommittee, Yarborough was instrumental in passing the minimum wage law of 1966, which brought more people under that law than any other minimum wage act except the original law of 1938. He was the author of the law to prevent discrimination on account of age in 1967. As chairman of the Labor and Public Welfare Committee, he was the man most responsible for passage of the historic Occupational Health and Safety Law of 1970. He also sponsored the GI Bill, the Padre Island National Seashore, and the Guadalupe Mountains National Park. Hubbard concluded that Ralph Yarborough “made our nation a better place in which to work and live.”

Valley Farm Workers

The greatest drama of the Valley Farm Workers movement begun in the 1960s was the march to Austin from Rio Grande City in the summer of 1966. The marchers were mostly workers on strike in the cantaloupe fields of Starr County, making an average of about \$0.50/hour on good days and demanding a minimum wage of \$1.25. Governor John Connally refused any support. On Labor Day they were joined by 15,000 supporters rallying at the Capitol grounds. They did secure the minimum wage in 1969, signed by Governor Preston Smith. But the Texas Rangers crushed the strike with such ferocity that the farm laborers filed a civil rights case. In 1974 the U.S. Supreme Court denounced the Rangers in *Allee v. Medrano*. The Valley Farm Workers march galvanized Tejanos and



By September 1956, Ralph Yarborough's previous gubernatorial campaigns had barely failed, and the labor/liberals were poised to take over the Democratic Party. The Johnson-Shivers-Daniel Establishment had to steal the convention to retain control. They did, but it energized the labor/liberals and led directly to Yarborough's senatorial victory, 1957.

RALPH W. YARBOROUGH COLLECTION, AR47

probably did as much as any other single event to create the modern Hispanic movement in Texas.

A Worker Safety Case

John Nash, president of Tyler's United Rubber Workers local, was working in the Kelly-Springfield plant in 1970 when a pressurized cylinder exploded. The steel cylinder and its plunger were operating at the usual 120 psi when two cater-cornered bolts that anchored the cylinder ruptured with a thunderous sound. The plunger shot out of the cylinder, smashing through the mold board, and missing Nash's head by a few inches; it dented the steel cooling drum some twenty feet away. The production manager demanded that the unit continue to operate with the two remaining bolts. Remnants of the two destroyed bolts were embedded in the cylinder housing and could not be drilled out and replaced in a timely way. Nash refused to work at such a dangerous site, and after a heated discussion he walked out of the plant, prompting a wildcat strike (not sanctioned by the international union).

A millwright built the working replica displayed in this exhibit, using a cylinder, plunger, and bolts from the plant. In the arbitration demonstration the psi was cut to 100, judged sufficient to prove any danger. Both sides, meeting at a neutral hotel site, stipulated that the device would provide an accurate portrayal of the situation in the plant. The flat stand-up iron piece represented the mold board. During the demonstration, the plunger was discharged from its housing, leveling the iron piece, and smashing through a chalk board over twenty feet away. The noise was so loud that hotel management, unaware of the test, immediately evacuated all guests and was soon berating the company and the union. A safety letter was placed in future contracts allowing a worker to decline to operate in an environment that he or she considered unsafe, and if management could not resolve the matter, OSHA would.

Public Employees

Traditionally, public workers were not allowed to engage in collective bargaining, much less striking, because they would often be endangering the public health and safety. But with unions and federal, state, and local government workforces expanding dramatically by the 1940s, organizations were inevitable. Even in states that generally forbade such workers from bargaining and striking, such as Texas by 1947, certain exceptions were later allowed, and some cities and school districts engaged in consultation agreements. Striking remains illegal, but on rare occasions there are slowdowns and sick-outs. President John F. Kennedy's 1962 Executive Order 10988 gave federal government employees the right to form unions that could only negotiate improvements in working conditions and grievance procedures. Wages and hours could not be discussed, and most grievances could not be mediated. This limited unionization was a breakthrough for some (e.g., American Federation of Government Employees), but forbidding mediation machinery was disastrous for others, (e.g., Professional Air Traffic Controllers Organization).

Demise of the Poll Tax

Persuading Texas voters to pay their poll taxes and vote were continuous challenges, 1903–1966, for all interest groups. Poll taxes had only one purpose from the time

they were first proposed in the 1870s—to suppress the votes of the poor and minority groups. Organized labor, the NAACP, and other liberal groups filed lawsuits, and the courts began to curb various inequities. States interested in limiting the franchise lost the white primary in 1944. In the 1960s they lost the federal poll tax, the right to draw legislative districts with wildly different

populations, and the right to openly discriminate against minority voting in general. It took a constitutional amendment, the 24th, to abolish federal poll taxes. The civil rights law of 1965 targeted elections in Texas and a number of other states as sufficiently suspicious to be monitored for decades by federal officials. State poll taxes lingered until 1966.

THE CHALLENGING YEARS

Since the 1970s

TECHNOLOGICAL INNOVATION has been the main challenge to workers for forty years. Since 1973 productivity has increased by 80 percent, but compensation just 11 percent. Productivity gains began flowing almost entirely to the wealthiest 10 percent of Americans, mostly as capital gains and dividends. Technological innovation is the main cause of productivity, but also influential are the income gap, unemployment, underemployment, de-skilling, and the weakness of unions. Trade with China has cost the U.S. over two million net jobs—but automation would have eventually eliminated most of them anyway, as well as the additional jobs lost in trade treaties. Proposed solutions include establishing stronger unions, more job retraining programs, more public sector jobs, more college degrees, and higher income tax credits and minimum wages. It's not just manual labor that is losing ground—computers are learning to perform some white collar and service sector work. Existing technology can probably automate 45 percent of activities people are paid to do. Open shop is not a solution, but a wage race to the bottom.

The Building Trades

In 1971 representatives of the Dallas and Fort Worth building trades councils, representing about 60 counties, met with leaders of the North Texas Contractors Association with the idea of working out a multiple contract for all the trades with the same expiration

date for all. The Nixon administration favored such efforts. In this experimental program there would be ample consultation to identify any work rules or jurisdictional disputes that caused slowdowns, and organized labor would remain on a job continuously until it was completed. Arbitration would decide any contract clashes. The idea worked rather well in the decade, and the *Arlington Citizen-Journal* noted that 15 construction trades unions were on board with another contract in 1979 but only for Tarrant County. Dallas County followed suit in 1980. They were the last of their kind. Events were conspiring against the building trades unions.

Pre-fabricated construction was taking the skill out of many jobs. High interest rates during the recession caused building costs to skyrocket, hitting contractors hard. Labor laws and interpretations of them began to restrict picketing to the non-union contractors at a work site (who ignored them), and the work went on. Union contractors on a job no longer had any incentive to urge non-union contractors to recognize unions and, soon enough, no longer any incentive to accept unionization themselves. Fewer workers were needed (given technological changes), and more were available, willing to work for less, and demanding no benefits or work rules. The craft unions have survived, but they are much smaller than they were 40 years ago. Some have contracts with major corporations which sometimes need large numbers of talented construction workers at a site and an agency that can immediately replace any workers who might drop out.

PATCO

Air traffic controllers had two primary post-war grievances—the ignorance and indifference of management (the Federal Aviation Administration), and their extensive, stressful, grueling, forced overtime hours. The number of controllers had stayed about the same in the 1950s, but air traffic had increased dramatically. Unable even to mediate grievances, Professional Air Traffic Controllers Organization (PATCO), organized in 1968, soon coordinated a nationwide work slowdown. And they actually did it by just enforcing existing rules and regulations about traffic flow instead of taking the usual short-cuts. In two months they forced the air carriers and the FAA to hire more controllers. In retrospect, PATCO and its 13,000 members should have then paused and designed a more cautious long-term strategy, including a demand for an expansion of President Kennedy's order 10988 to include an impartial mediation process. Possibly tensions between controllers and the FAA could have been resolved differently from the way they played out.

Slowdowns in the 1970s inconvenienced passengers across the nation. In the process PATCO did bring about necessary improvements in wages, hours, working conditions, and equipment, but its numerous job actions occurred at a pace that was costing them public support. President Jimmy Carter was unsympathetic to raising their pay, but his 1980 opponent Ronald Reagan promised wage increases and reduced hours, and PATCO was one of the very few unions that endorsed him. Upon perceiving in 1981 that Reagan was renegeing on his promises, PATCO—rejecting various cautionary warnings—called a nationwide strike. Reagan fired all controllers and banned them from future jobs in the FAA. PATCO was destroyed. The strikebreaking replacements were not of the same quality, and there were not enough of them, but passengers and crews survived the enormous risk the administration took. Some former PATCO members were rehired under President Bill Clinton 12 years later.

The strike and the government's response was a defining moment for the American labor movement, the Reagan presidency, and the public which perceived a new attitude toward labor relations. Defenders of PATCO argue that it was the signal event in the evisceration of

the American middle class, a long and tragic decline that persists today. Unions saw a decrease in their ability to bargain collectively for their members and keep salaries and benefits within the cost of inflation and middle class living. Opponents of PATCO believe that in this particular event the union veered out of control. Its slowdowns left millions of passengers stuck on tarmacs and even stranded in the air, and the strike was illegal. A new controller's union, the National Air Traffic Controllers Association, was certified less than five years after the strike, demonstrating that the root causes of discontent had not disappeared.

The American Civil Liberties Union (ACLU)

The ACLU was founded in 1920 to ensure the promise of the Bill of Rights. In 1939, defending the Wagner Act before the Supreme Court, it won the right for unions to organize. The ACLU began in Texas in 1938 during the San Antonio pecan shellers' strike, defending the workers' rights of free speech, and filing cases against the police that aided labor's success. As director of the Texas Civil Liberties Union in the 1980s, James Harrington founded the related Texas Civil Rights Project in 1990. He was a lobbyist for legislation that granted farmworkers accident compensation, unemployment benefits, and bathroom facilities in the fields. And his legal actions insured that several owners complied. His lawsuit on behalf of the hand-billing rights of grape boycotters prompted the Texas Supreme Court to declare privacy a fundamental right under the state constitution. It is not a fundamental right under the U.S. Constitution. Harrington retired in 2017.

Trade Treaties

Bipartisan trade treaties beginning with North American Free Trade Agreement (NAFTA), 1994, added to the economic upheaval. Trade, like technology, benefits U.S. consumers with lower prices and creates jobs, but it also destroys jobs, especially in mass-employment manufacturing. The cost has been high as many American industries fled to third world countries in search of cheap labor. America is the only first world nation lacking an industrial policy (protecting certain industries as essential). Ironically, manufacturing has grown from about 22 percent of GDP around 1970 to 31 percent in 2012 (since more goods, as mentioned, are produced

with fewer workers). Moreover, smaller work forces are more difficult to organize, especially given the increase in part-time and contract workers. The rate of unionization in the nation is about 11 percent, and the Texas percentage about half of that. In particular instances union demands are not always appropriate, but no country has ever created a strong middle class without strong unions.

Grass Roots Struggles

Gene and Elaine Lantz, United Auto Workers Local 848, Grand Prairie—wanting to help struggling unions—reached out to the Amalgamated Transit Union’s Greyhound bus drivers on strike in 1986–87. They took them food, got help from individuals from other unions, and ultimately persuaded powerful Teamsters Local 745 to help the cause succeed. From that beginning Gene and Elaine linked up with the national organization, Jobs with Justice, launched by the Communications Workers of America. The JWJ chapter started in 1990 when about 30 members began to meet monthly in 848’s hall. Their numerous street actions attracted many more demonstrators after Gene began to publicize the sites and causes via the internet. Unions now often send two or three members to the meetings, and when they need help with contract fights, strikes, or organizing drives, they call JWJ. They were the only ones in Dallas who demonstrated against NAFTA.

Farm Workers and Immigration

Farm workers, many of them immigrants, are still struggling but remember when it was worse. Ed Sills of the Texas AFL-CIO wrote an op-ed piece for the August 28, 2016, edition of the *San Antonio Express-News* on the 50th anniversary of the Starr County farm workers’ strike and subsequent minimum wage march. Some excerpts:

I don’t have room to do justice to the labor rock stars who comprised the farmworker contingent, but let me give you the flavor of these people. Daria Vera, who retains fire in her eyes over the events of 1966, once laid across an international bridge to protest the employment of Mexican strikebreakers. She still joins fellow strikers in



United Auto Workers Union activist Dr. Gene Lantz, protesting the North Atlantic Free Trade Agreement in Dallas in the early 1990s.

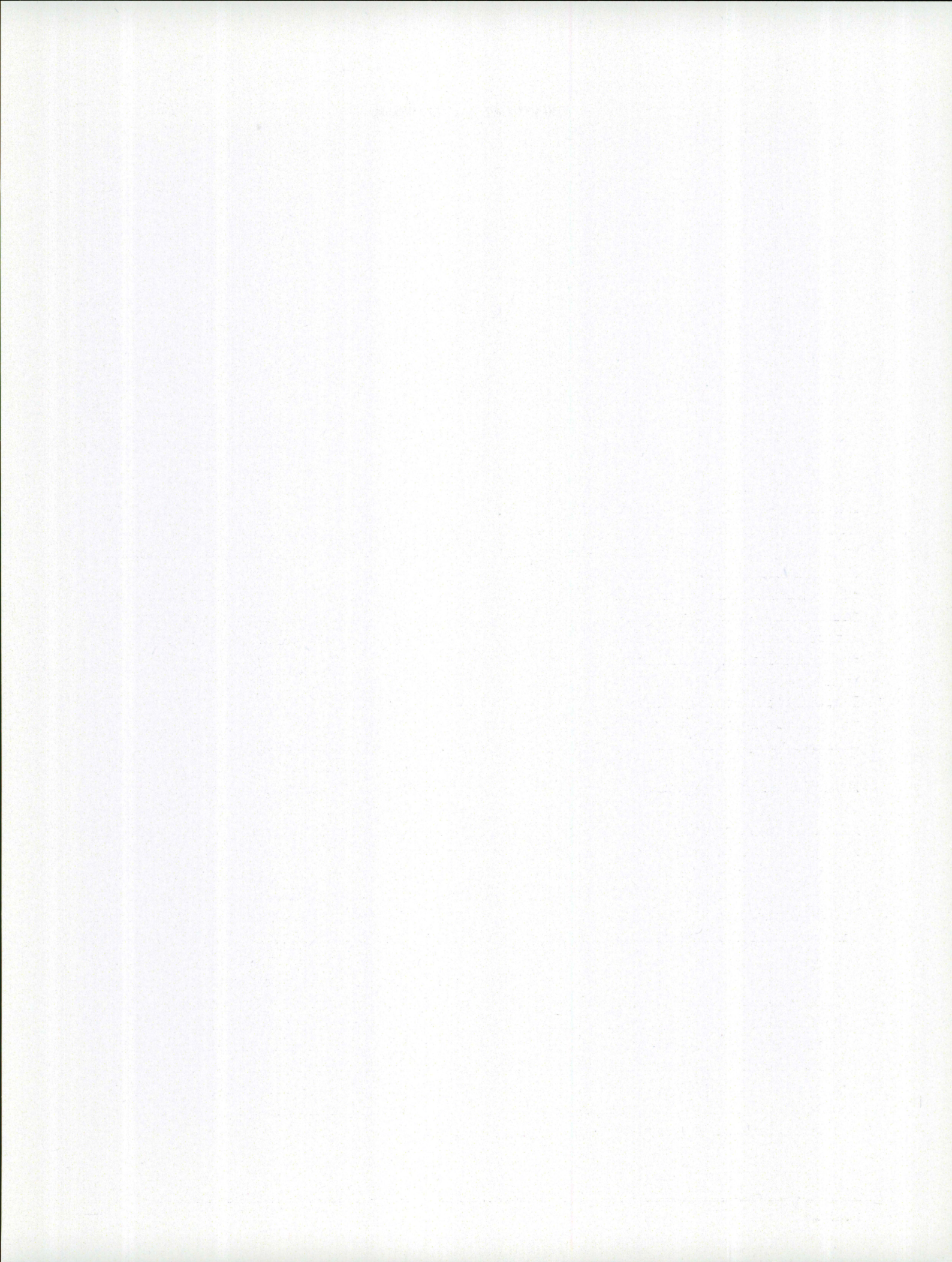
TEXAS LABOR ARCHIVES

singing the *corridos* (ballads) that those who were arrested for strike activity composed while in jail.

Alex Moreno, who went on to become a respected state representative, quietly discusses the time he was beaten inside a striker’s home as Rangers sought another striker.

The Texas AFL-CIO

The organization’s direct forerunners date to 1889. In 1900 the first permanent statewide body, the TSFL, represented 8,500 workers. It was soon cooperating politically with railroad brotherhoods and the Farmers Union. Its leaders were democratically elected. It favored unionization for all workers and lobbied for women’s suffrage and free textbooks in the public schools. It lobbied continuously for abolition of the poll tax and by the 1940s an unhindered suffrage for all adults. Today the Texas AFL-CIO, with its democratically elected leaders, represent some 240,000 members in 264 unions. It favors unionization for all workers and now partners with a broad array of civil rights and women’s rights organizations and the LGBT community. It defends public education from defunding threats that did not exist a century ago. It is now deeply involved in job safety efforts, secure retirements, and affordable health care, while challenging new forms of voter suppression.



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