

These two pages conclude the first half of our 8-part series on the labor movement. The second half begins in February.

Seniority clashes with affirmative action

"That's where we come to a parting of the ways between the women's movement and labor," says Barbara Merrill as she shifts nervously in her chair. Affirmative action v. seniority is an issue "that puts everyone on the defensive," she says. Merrill should know—a black woman, she is president of the Coalition of Labor Union Women (CLUW) in Chicago. An ardent trade unionist, she is also deeply committed to racial and sexual equality.

The last three years of economic recession has placed her and many other minority and women unionists in a contradictory position on the question of seniority v. affirmative action.

"We owe the women's movement a debt of gratitude for drawing attention to the equal employment provisions of the Civil Rights Act," she explains. "But from labor's perspective, it looks like the women's movement wants affirmative action to take the place of seniority. For labor to give up seniority would be going back 30 years—it's the basis on which the labor movement was built."

The dilemma could be solved, Merrill suggests, by cutting through the "rhetoric and emotionalism" and striving to integrate both principles. The mechanics of such a level-headed approach are difficult to imagine, however, in the context of massive layoffs, soaring unemployment and heated debate inside and outside of unions on whether seniority or affirmative action is more important.

Women and minorities remain concentrated in lower-paying "entry-level" jobs. Since they've only recently been hired in some industries, often through affirmative action programs, they are the first to be laid off under the "last-hired, first-

fired" principle followed by most employers. The U.S. Civil Rights Commission reported in a recent study that minority members and women have been disproportionately affected by lay-offs during this recession. Much of their limited progress has thereby "been obliterated."

Feelings run high on all sides of the controversy. Labor leaders refuse to compromise on seniority, the primary protection for union members against capricious firings by management. Women's and civil rights organizations argue that prevailing seniority systems perpetuate racist and sexist hiring patterns. Stuck in the middle are organizations like CLUW and the Coalition of Black Trade Unionists (CBTU), which are securely tied to trade union structures but are supposed to protect the special interests of blacks and women.

While the burden of guilt for discrimination rests primarily on employers, the unions themselves have often served as junior partners in keeping minorities and women in lower-paying jobs or in excluding them from some industries altogether.

The extent of union discrimination is hard to generalize. Some unions blatantly discriminate against women and minorities, while others fail to fight energetically for their advancement. Still others actively organize these groups and defend their rights on the local level.

Black and women trade unionists contacted by *In These Times*, regardless of union, solidly supported the seniority principle. "Unionism is based on seniority—that's the whole crux of the system," commented Dorothy Gaines, recording secretary of a United Steel Workers local.

Outside of trade unions, however, reaction was more critical. "The seniority

system is based on racism," says Jim Haughton of the New York-based Fight Back organization. "In all industries and crafts there should be an equitable representation of nonwhites and women to make up for past discrimination. A seniority system should only commence from that point on."

"You just can't fight racism in organized labor from within because you're part of the system," Haughton continues. His organization has focused on forcing the construction trades to hire black and minority workers and is trying to build a coalition to demand government loans to rehabilitate houses in New York city. This program would operate in the heart of the black community and help bring work back into the city and back to black workers, he says.

The Civil Rights Commission also adopted a critical position toward seniority last October by holding that seniority systems are by definition illegal under the Civil Rights Act, since minorities and women have lost jobs in higher proportion than their involvement in the labor force.

It suggested that the Equal Employment Opportunity Commission, the act's enforcement arm, issue specific guidelines based on the principle that "all seniority systems are invalid as they apply to any workforce that does not mirror the relevant labor market."

The commission proposed alternatives to the "last-hired, first-fired" procedure including worksharing (cutting the hours of work for all), separate seniority lists for women, minorities and non-minority males, and inverse seniority.

Everyone admits that the final solution to the conflict between minority rights and seniority systems depends on a heal-

thy economy that can provide jobs for all—which has never been the case in capitalist society. That, essentially, is a question of economics and politics. Labor leaders in particular are hoping that the federal government will quickly implement a full employment policy.

The choice of a new labor secretary is another governmental decision that is closely tied to the affirmative action-seniority question. A behind-the-scenes power struggle is going on in the Carter "transition team" over this choice.

AFL-CIO president George Meany, the AFL-CIO hierarchy and UAW leaders are backing John Dunlop, President Ford's one-time labor secretary. Dunlop is closely associated with the building trades unions and has helped their national leaders keep a firm grip on uppity locals.

Dunlop is also an old enemy of affirmative action, women's and civil rights groups say. He is the father of proposed Labor Department regulations that would cut by 90 percent the number of companies required to meet affirmative action guidelines before receiving federal contracts. A coalition of civil rights and women's organizations are fighting his reappointment.

The winner of this squabble over the labor secretary will suggest which part of Carter's varied constituencies will pack the most punch in the new administration. AFL-CIO leaders expect Carter to cut inflation, push pro-labor legislation and provide jobs for union members.

Jim Haughton and other community activists have less faith in what the new president will do. "Until such time as we're able to build a united movement to fight for our real needs, crisis in employment and inflation will continue to increase," he says.

Organizing women, blacks: labor's come a long way



By Dan Marshall
National Staff Writer

In 75 years, changes in American industry and the workforce composition have impelled trade unions to seriously confront organizing minority and women workers.

Labor shortages in both world wars brought many blacks from southern fields to northern mass-production industries. Women and minorities predominate in the service, public employment and clerical sectors of the economy that have tremendously expanded since World War II.

The attitudes of trade union members and leaders toward black and women workers have also progressed.

In the early 20th century, labor leaders were unabashed about their racist sentiments. Many unions excluded blacks outright or placed them in segregated locals with the express approval of the American Federation of Labor. AFL policies toward blacks prompted A. Philip Randolph, head of the Sleeping Car Porters, to condemn the federation in 1919 as the "most wicked machine for the propagation of race prejudice in this country." As late as 1943, 30 AFL unions excluded blacks through constitutional provision or union ritual.

The Congress of Industrial Organizations, formed in 1935, broke many racial barriers by organizing thousands of unskilled black workers in the mass-production industries and by using its political influence to promote fair employment practices.

The CIO's United Packinghouse Workers, now a part of the Amalgamated Meat Cutters, was the "most consistently militant, antiracist union in the country," says Stella Nowicki, an early packinghouse union organizer who worked in

the union for many years.

The Packinghouse Workers encouraged multiracial leadership in its locals, fought against the poll tax that prohibited many southern blacks from voting and helped cut through the color bars in baseball and other professions, she says.

► Industrial unions have better record.

CIO-formed industrial unions retain a better record in fighting discrimination than AFL craft unions.

Dorothy Gaines has seen that commitment to racial and sexual equality operate for many years. Gaines, a member of United Steel Workers Local 2645 in Chicago, had worked as a press operator at Continental Can Co. for 31 years when she tried to advance into an inspector's slot last year.

"There was a lot of rejection at first," she says. "There was only one woman in the quality control department before me. Instead of putting me in a proper training program, they just expected me to know the job after three weeks. I heard stories that they didn't think I was really qualified for the job and were trying to ease me out."

When she went to the union for help, it called a special meeting with management to straighten out the problem. Another inspector was brought in to train her and she quickly picked up the necessary skills.

"Everyone seemed happy the obstacles were overcome," she says proudly of breaking the department's sexual barrier. "Now the whole department has been opened up to other women and minorities. It made me feel real confident—before I was on the verge of calling it quits. But I knew I'd be letting other people down if I quit."

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Photo by Ken Firestone

Unions discriminate too

The worsened economic situation and the controversy surrounding seniority and affirmative action have focused renewed attention on how unions themselves discriminate against minorities and women. The most prominent examples of this discrimination are the building trades and the teamsters unions.

The bulk of the workforce in these industries, unlike the mass production and service industries, have been white for decades. In both the teamsters and the building trades, unions act as "referral" agents for employers. Unions thus have a high degree of control over who is hired and can sometimes exclude categories of workers from the industry.

Government efforts to end discrimination and impose affirmative action programs have had little success in the building trades and the teamsters.

"The building trades remain a very solidly established racist institution," says Jim Haughton of Fight Back, an organization that has fought for 12 years to get more blacks into the New York city construction industry. "Building trades unions have been openly defiant of government orders, laws against discrimination and community pressures in protecting their racist control of work," he says. "Black and hispanic workers are left out because the unions operate a nepotistic system."

Discrimination in the construction unions usually operates through apprenticeship programs and at the hiring hall. The apprenticeship program provides over half the new craftsmen for the industry. Preference is usually given to the sons or relatives of union members, a practice that effectively excludes minorities or women. Some unions also require that a prospective apprentice be sponsored by two union members and be approved by a local union meeting.

The hiring hall provides union workers for the constantly fluctuating demands of contractors. There have been cases where black union members have been misinformed about procedures for get-

ting on the out-of-work list and cases where blacks have been subjected to more stringent requirements than whites for being referred to a job, the U.S. Civil Rights Commission has reported.

In the case of the teamsters, contracts that establish separate seniority lists for city and over-the-road drivers discriminate against women and minorities who have long been locked into the lower-paying, city-driving jobs. If a worker wants to transfer to a road position, he or she is forced to give up accumulated seniority and thus becomes subject to frequent layoff.

For a long time minority drivers were barred from the over-the-road work because of pervasive segregation in the surrounding society.

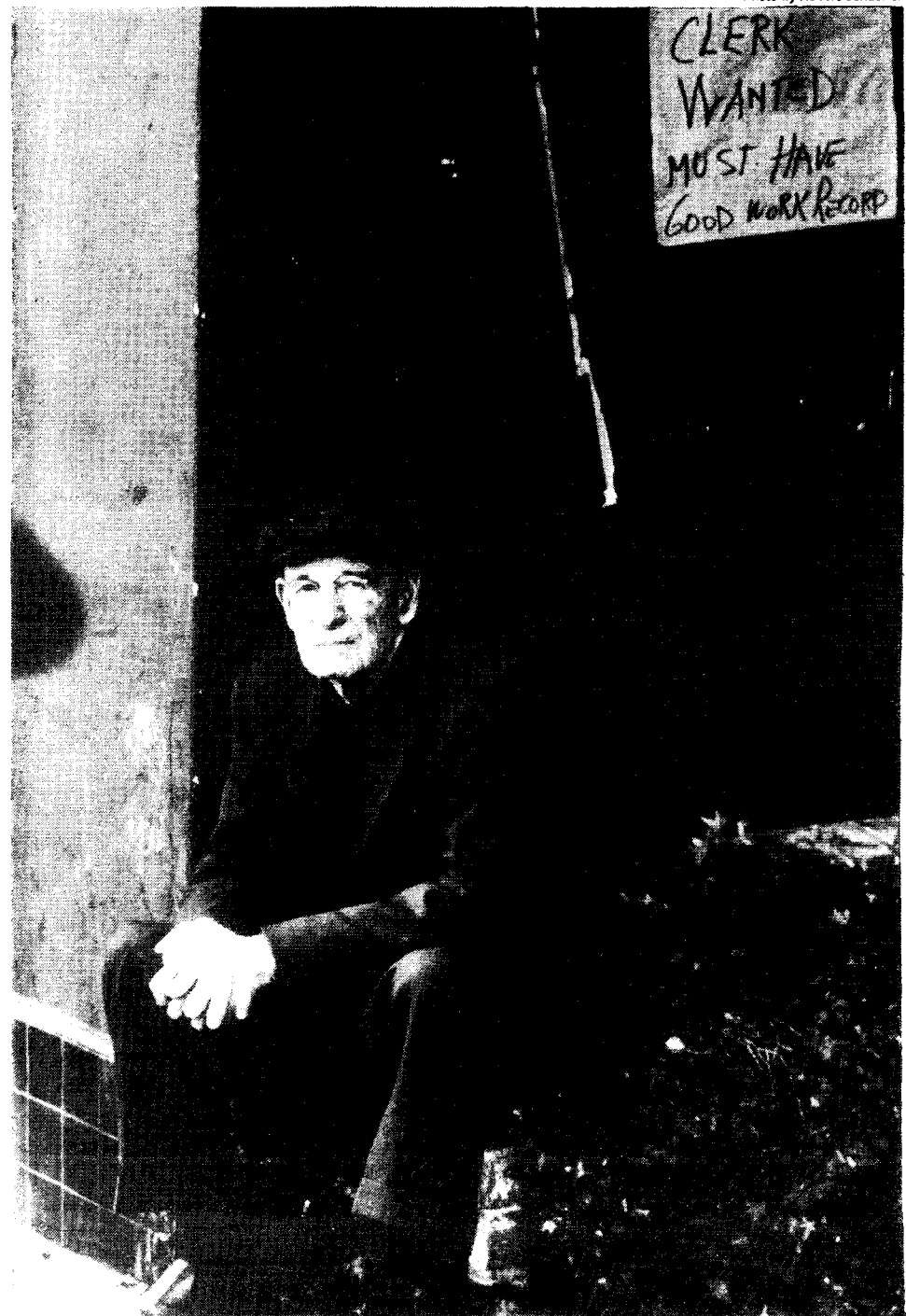
When companies were first required to carry insurance, they restricted their over-the-road drivers to certain routes. Before 1964, those jobs weren't feasible for blacks because they couldn't stop to use the motels, restaurants and truck stops on the main thoroughfares," says Gideon Parham of an Atlanta Teamster local. Parham credits the civil rights movement of the '60s with making it easier for blacks to get over-the-road jobs.

In its investigation of teamster union discrimination, the commission found examples of the union's refusing to refer minorities to firms needing over-the-road drivers or to place minorities with white drivers.

The discriminatory policies of the building trades and the teamsters became more severe as the economy deteriorated. Parham says that black and white drivers have been hard hit in the last three years.

Haughton also finds that discriminatory qualities in the building trades "are exacerbated in times of recession when the fight for jobs becomes far more fierce and competitive." He points out that unemployment in the New York building trades runs from 35 to 75 percent. "We feel that whatever work is available should be equitably shared by all workers," he says.

Photo by Robert Schaeffer



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Gaines describes other ways Local 2645 has helped counter racial and sexual discrimination at Continental Can.

Seniority was changed to a plantwide system in their 1973 contract, which also instituted a job-posting system for openings. Departmental seniority had long kept women and minorities in lower-level jobs, since they would lose seniority by moving up.

Separate classifications for male and female jobs have also been eliminated, Gaines says.

►If the "ladies" won't stay at home.

On the question of women workers, the attitudes of the industrial unions have not differed that much from the craft unions.

In 1927, the *Nation* published a story about a woman union organizer that indicated what male trade unionists thought of working women. "The men were terrified," Ann Washington Craton wrote, after a woman was called in to direct a local organizing campaign. "They were forced into a position where they had to make demands for the women."

When the organizer was arrested for her activities, the local business agents told the other women: "Let her stay in jail. She's all right. Let her stay until we can have a nice, quiet, little executive-board meeting without her. Then we will get her out. If ladies won't stay at home, let them stay in jail."

The sentiment that women should stay at home prevailed in CIO unions as well. In the United Packinghouse Workers there were no women officers and few women organizers for the International, Nowicki says, even though a large part of the union's membership was female. "If the union leadership would have taken a more positive attitude, it would have been much easier to organize women," she also feels.

►Can't afford not to organize women.

But, today, organized labor can ill afford to delay organizing women workers, since

they comprise about 44 percent of the workforce. Only 17 percent of those women workers, however, are union members, compared to 24 percent of men. Many are concentrated in the service and public employment sectors of the economy.

"I think we're seeing a slow but persistent increase in labor's attention to organizing women workers, especially in the expansion of union organizing in the white-collar and service fields that are predominantly female," comments Jackie Ruff, organizer for Local 925 of the Service Employees International Union (SEIU) in Boston.

Local 925 is an outgrowth of "9 to 5," an organization that pressures banking, publishing and other employers to stop sexual discrimination. "Many of the unions in the area and even nationally are supportive of what we're trying to do—establish a base in primarily female occupations," Ruff says.

The American Federation of State, Country and Municipal Employees (AFSCME), the country's fastest-growing union, also has a large membership of women service workers.

Discrimination in state government operates in a subtle, paternalistic manner, Barbara Merrill says, with women more often promoted to supervisory positions to foster competition between women in lower and higher classifications.

Merrill's union, AFSCME Local 2000, negotiated for job progression to be decided by exam rather than the whim of a supervisor.

The union also encourages women to form local caucuses to raise issues of discrimination, Merrill says, and distributes a 10-point leaflet on the laws against sexual discrimination.

"AFSCME has been in the forefront of helping its members address problems of racial and sexual discrimination," she says, "partially because the union is concerned with the whole fiber of its members' daily lives."