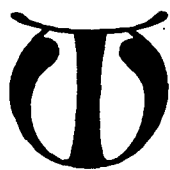


When Union Locks Horns With Union

By ROBERT W. BRUÈRE



WHEN trade unionist faces trade unionist, the one as employer and the other as employe, old issues take on new complexions. What may yet go down into history as an industrial *cause célèbre* is the deadlock between the United Mine Workers of America and members of the Brotherhood of Locomotive Engineers as owners and operators of the Coal River Collieries in Boone County, West Virginia.

The Brotherhood of Locomotive Engineers is a trade union, not affiliated with the American Federation of Labor, whose members are among the most highly skilled and most highly paid wage workers not only in America, but in the world. In harmony with their policy of extending the activities of organized labor beyond the limits set by traditional collective bargaining, members of the Brotherhood, under the leadership of President Warren S. Stone, bought valuable coal properties in the thick vein bituminous coal fields of the Kanawha District in West Virginia. The Coal River Collieries are not owned by the Brotherhood as an organization, but stock is sold only to "locomotive engineers and their friends." From the point of view of trade union policy, the Coal River Collieries figure in the controversy as if they were in fact owned by the Brotherhood instead of by its members and officers as individuals.

For some months these mines have been shut down because the management finds it impossible to operate without a loss under the wage scale stipulated by the United Mine Workers of America.

The members of the Brotherhood of Locomotive Engineers [writes President Stone, in addressing John L. Lewis, President of the United Mine Workers] who have invested over \$3,000,000 in these properties are entitled to some return on their investment, and I think you will concede this; and yet at the present price at which coal is selling, and the cost of mining under the Jacksonville Agreement, it is impossible for the union mines to break even. Under the 1917 agreement, it cost us \$1.12 per ton loaded on cars, the actual wages paid to miners without any charge for depreciation or overhead. Under the Jacksonville Agreement of 1924, it costs \$1.63 per ton, without charging any overhead or any return on the investment. The average price at which coal is selling f.o.b. is \$1.50 per ton—not much incentive to open a mine or work it under those conditions. We want to run a union mine, and expect to run one if we run it at all, but it is impossible to do so when the non-union fields around us can produce coal so much more cheaply, and have a monopoly on the entire market.

In reply, President John L. Lewis of the United Mine Workers writes:

You refer to the cost of production at your West Virginia properties. Your company occupies no different position in this matter than any other of the thousands of coal companies which have agreements with our organization. The United Mine Workers cannot be responsible for problems of management in which they have no voice. The question of efficient management and low cost of production to enable you to remain in the market with competing coal companies is one that must be dealt with by your corporation. It is a problem

that ever confronts one who elects to become a coal operator.

The issue raised in these sentences is pivotal to the question as to whether collective bargaining shall become static and so limit the activities of labor to hours, wages and physical working conditions, or whether wage-workers shall go forward to that fuller participation in the development of industry and government of which labor banks and independent political action, if they survive, will be remembered as forerunners. It is because this old controversy has arisen between two groups of trade unionists instead of between a trade union and an ordinary business corporation that it is developing new and far-reaching implications. Already there are signs that its settlement, if and when in this instance it is settled, will profoundly influence the future not only of the labor movement itself, but also of American industrial and political policy.

These signs appear in the letters which have been exchanged between the two labor groups. As diplomatic conversations they began with the chip-on-the-shoulder attitude that so frequently characterizes trade disputes. There had been a brush or two between local representatives of the miners' union and the contractor to whom the locomotive engineers assigned the preliminary physical equipment of the mines, owing to the fact that "the original contract for building certain houses at one of the mines was unwittingly given to a non-union contractor." The real set-to, however, started when the locomotive engineers began to load coal at the tippie. On March 21, 1923, Percy Tetlow, international representative of the United Mine Workers in District 17, with headquarters at Charleston, West Virginia, reported to Philip Murray, then acting president of the United Mine Workers, that he had been advised "by the general manager of the company's headquarters at Huntington, West Virginia, that they would not deal with us and that we would be required to wait, and the matter would have to be taken up with Mr. Stone by Mr. Lewis upon his return from Europe." Mr. Tetlow explained that while preliminary equipment work was in progress at the mines, he had permitted union men to work there although the contractor "has been paying far below the scale of wages for inside and outside work"; now that the mines were in operation, however, he had notified the miners that "by reason of the company's attitude we cannot permit these men to continue to work with the flat declaration from the company that they are going to run the mine non-union." The mine officials deny that this statement was made; but on March 26, Mr. Murray, acting president, endorsed Mr. Tetlow's decision as "perfectly justifiable," and notified President Stone of Mr. Tetlow's "purpose to call the men out, providing a sincere effort on the part of your management is not made to negotiate a contract at an early date." The Engineers' Chief resented this "threat" as especially offensive in view of the fact that "the organization I have the honor to represent fed and clothed the miners of West Virginia for months.

when no other organization was coming to their assistance." He explained to Mr. Murray that the manager of the Coal River Collieries had been instructed to pay the union scale of wages and he called special attention to "the preparations which are now being made to make this a model camp. The miners will live under better conditions than any miners have lived in West Virginia before. . . . And if because of this we are to be selected to crowd the fight, why, we will simply have to let the fight come." But President Stone did not stop here. He, too, beat the tom-tom:

You know, brother Murray, [he wrote] I have been in the game too long to be scared by any threat like that. . . . If the whole thing hinges on insisting that we sign the check-off system and allow your representative to say who shall and who shall not work in the mines, then the fight will have to come because we are not going to instruct our manager to sign the check-off system, and we intend to have the say as to who can and who cannot work in these mines. No walking delegate or business agent can keep a man in our employ who either uses booze or dope, and who does not behave himself and act like an American citizen should act.

Mr. Murray thereupon voiced his amazement at "the arbitrary attitude you have assumed with respect to the organization of your company's properties in West Virginia and Kentucky," and continued:

The inference contained in your communication would tend to create the impression that the members of the United Mine Workers of America are un-American. . . . The phrases used by yourself in this letter are the common, everyday expressions of the non-union coal operators in Logan, McDowell and Mingo County fields of West Virginia.

The "Dear Friends and Brothers" were developing a very pretty quarrel along the traditional line. By May the strike was on. On June 8 the chief engineer of the Coal River Collieries reported that matters had rapidly gone from bad to worse "until it became clearly evident that it would be necessary for us to discharge practically the



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Warren S. Stone, chief of the Brotherhood of Locomotive Engineers

entire organization and start over again. . . . As a number of these men were living in our homes it became necessary that they be moved as soon as possible in order that the new men we took on should not be subjected to intimidation or suggestions of violence from within our own camp."

By this time the press, and the non-union operators particularly, began to "smile sarcastic." When in June President Lewis of the Mine Workers returned from Europe, he took over the negotiations with President Stone. The unseemliness of the temper in which the controversy had been carried on apparently dawned on both sides. They called in the president of the Iowa State Federation of Labor as a friendly arbitrator, and on June 6 entered into a collective agreement which remained in force until March 31, 1924. By that date the United Mine Workers, under the leadership of President Lewis, had negotiated a collective agreement (known as the Jacksonville agreement because it was framed at Jacksonville, Florida, in a conference with the coal operators of the Central Competitive Field,—Illinois, Indiana, Ohio, western Pennsylvania) which became the basis for district agreements between the miners and the coal operators in the outlying unionized fields, and which the miners' officials interpreted as superceding the gentlemen's agreement with President Stone under which all disputes were to have been referred to the president of the Iowa State Federation. The Jacksonville agreement provided that the wage scale which the miners had been able to establish during and immediately after the war should be continued for three years.

It is to the terms of this agreement that President Stone referred when he said that its acceptance by the Coal River Collieries would result in a loss of 13 cents a ton at the f.o.b. mine price as it stood in August, 1924; refused to renew the collective agreement with the United Mine Workers; and rather than operate on a non-union basis, decided to close the mines down. At the same time, he stopped the policy of eviction disclosed by the chief engineer in his report of June 8. In addressing President Lewis on August 25, President Stone wrote:

If your miners are on strike, as you state, since April 1, it is news to us because there has not been a day passed from April 1 up until now that every miner on the property, with the exception of three, would have gladly gone to work had we said the word. They have been allowed to live in the houses without rent, and in addition to that, when their funds were exhausted and some of the families were hungry, we have fed them from our supply store.

The correspondence, published in the United Mine Workers' Journal for October 1, 1924, ends with a letter from Mr. Lewis to President Stone in which the miners' president declared that:

For nearly five months you have closed the four mines of this company and maintained them in idleness rather than make such an agreement (Jacksonville basis). For nearly five months the United Mine Workers of America has been obliged to provide food and other assistance for your striking employees. Will you settle or will you continue to fight? If you elect to terminate this strike I shall be glad indeed to meet you at once to arrange the details.

THERE, at this writing, the matter stands. And there it might continue to stand indefinitely if the collieries were in an organized field and if the dispute involved only the United Mine Workers and an ordinary business corporation. For the financial predicament of the Coal River

Collieries is not unlike that of scores of bituminous coal operators in almost every unionized section of the country. The developed capacity of the industry is so much in excess of current demand that it is only at the peak of the business cycle that even so many as two-thirds of all the mines can hope to find a profitable market for their product. Throughout the summer a half, and sometimes more than a half, of the miners in the one hundred per cent organized bituminous field of Illinois were reported out of work, a situation which President Farrington of the Illinois miners attributes to the competition of the non-union fields, where in certain instances of record operators have cut wages to less than one-half of the union scale. But it happens that the executives of the two unions whose members are involved represent two fundamentally divergent points of view with respect to the status and functions of organized labor, that all unions within the labor movement are undergoing a re-alignment on the basis of this divergence, and that the case of the Coal River Collieries promises to become a test case.



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John L. Lewis, president of the United Mine Workers of America

THE contrast between the present economic and political policies of the United Mine Workers and the Brotherhood of Locomotive Engineers is one of the curiosities of labor history. In the early days of the American coal industry, the miners had a reputation for radicalism. Many of their leaders had come from England in the days when Owens' influence was strong; many of them had had firsthand experience in the Chartist movement. They were among the first of American unions to depart from the traditional craft basis of organization and to require all workers in or about the mines to transfer their allegiance from the union of their craft to the miners' inclusive industrial union. Before the Plumb Plan for "government ownership and democratic management of the railroads" had been heard of, the miners in convention assembled had gone on record in favor not only of public ownership of the mines, but also of all other means of production and exchange that are collectively used. Again in their 1919 convention, they adopted a resolution in which they held that "the coal supply of our nation should be owned by the commonwealth and operated in the interest of, and for the use and comfort of, all the people of the commonwealth."

But the abnormal war demand and war prices resulted in the opening of new mines and the enlargement of old ones to a point where they could turn out almost twice as much bituminous coal as the country normally uses. When the post-war boom broke, the miners found that a bed of quicksand had been spread beneath their organization. The non-union fields especially had expanded at an alarming rate. During the strike of 1922 the non-union mines of West Virginia, eastern Kentucky, Alabama, Tennessee, and the Somerset and Connellsville sections of Pennsylvania were able to supply over 60 per cent of the country's average weekly consumption. When the industrial deflation was in full swing, non-union operators began to slash wages at such a rate that even the Coal Age, a trade journal devoted to the operators' interests, declared that "if the practice (in the non-union fields) of lowering wages to meet every new contract made continues, the wage rate will fall below a level at which any working man can live."

Confronted by this situation, the miners forgot everything except the desperate necessity of maintaining their wage scale which, in view of the reduced average number of

working days in the unionized fields, they regarded as the only possible guarantee of a reasonable annual income. Moreover, with the growth of the non-union operators' influence in the industry, the United Mine Workers found their large treasury recurrently depleted, not only by the cost of defensive strikes and attempts to organize non-union territory, but by assaults upon them in the courts, of which the Borderland case, notable because of Judge Albert B. Anderson's sweeping injunction designed to debar them from the non-union fields, is still fresh in the public memory.

UNDER this pressure, every issue but the maintenance of the wage scale fell into abeyance. It was against the reduction of this scale that they waged the strike of 1922. Their national leaders, having won the strike, tossed the nationalization resolution into the discard. In an effort to win and hold what was then prevailing public sentiment, they lumped the advocates of nationalization with the "radicals" and "reds," took from such recalcitrants as Alexander Howatt in Kansas the command of their own districts, and forced such advocates of the miners' "larger program" as John Brophy, president of the central Pennsylvania bituminous miners, to temper their insurgency and fall back into line. By 1924, the national officers of the miners, who in earlier years would have been counted upon to lead in the movement for independent political action, were notably inconspicuous in the Conference for Progressive Political Action; and during the presidential campaign, President Lewis publicly announced his support of President Coolidge and the Republican ticket. The policy of the United Mine Workers today is essentially, and almost exclusively, a policy of pure and simple collective bargaining. They appear to have accepted as a proper delimitation of the trade union's function the clause in their standard district agreement which provides that "the management of the mines and the direction of the working forces, are vested exclusively in the operator."

The Locomotive Engineers have been moving in the opposite direction for reasons quite contrary to those to which Marxian Socialists looked as the mainsprings of labor activity. Not their poverty, but their prosperity, is leading them to break the bounds of their traditional wage-workers' status. The Brotherhood of Locomotive Engineers was organized during the Civil War in resistance to precisely such a wage cutting policy as is now being pursued by the operators in the non-union coal field. Almost from the beginning they were nicknamed the Aristocracy of Labor. In contrast with the miners, they were conservatively indifferent to the appeals of industrial unionism. They were quite willing to hold aloof from the unskilled men who keep the tracks in repair, and from the skilled craftsmen, who later formed the associated shopcraft division of the American Federation of Labor, with which they themselves have never affiliated. I remember how Carlton Parker, after having observed their seeming indifference to the desperately exploited workers in the hop and wheat fields of the Pacific Coast, used to protest that the Locomotive Engineers was not a labor organization at all.

From 1864, when it was organized in Detroit, until very recently, the Brotherhood has very narrowly centered its energies upon the interests of its own members. The unusually severe tests which, from the nature of the responsibility involved in driving a train, railroad managements apply in selecting engineers has made them a picked body of men. Not only have their ranks been thoroughly protected from invasion by the unskilled, and especially the unskilled immigrants who, until recently, flowed in a steady stream into the bituminous coal fields, but they have had the further advantage that their industry is not susceptible of indefinite extension. Practically no new railroads are being built in America today. The engineers' organization thus rests upon firm rock as compared with the shifting sands that harass the miners' union.

For these and similar reasons, the Locomotive Engineers, both as individuals and as a union, have accumulated funds which they are not disposed to bury or lay up in a napkin. As early as 1867, they established a Mutual Life and Accident Association, which today carries over \$200,000,000 worth of insurance, and pays out some \$4,000,000 a year in death, accident and sickness benefits. They operate pension and other funds, not only for the aged and disabled members, but also for the protection of their wives and children. In 1920, they opened the Brotherhood of Locomotive Engineers' Cooperative National Bank, which four years later had resources exceeding \$29,000,000.

The effect of this economic strength and of these enterprises upon the psychology of the Locomotive Engineers has been profound. Increasingly they think of themselves not in the terms of the master and servant clause in our statutes and judicial decisions, but in terms of economic equality with their fellow citizens of all ranks, pursuits and professions. And this they do as *wage-workers* and members of a trade union, not as individuals who cease to be wage-workers and trade unionists insofar as they become capitalists and investors.

The implication of this psychological change emerges in an editorial article published in the official Locomotive Engineers' Journal for June, which declares that "cooperative banking can and will revolutionize the power of the wage-earners of the world; when the workers once learn to organize their saving and spending resources, they can

speedily obtain control of credit, and he who controls credit controls industry as well." There is no disposition here to accede to the proposition that the management and direction of the working forces "are vested exclusively in the operator"! The implication of this statement runs through another article in the same issue of the Journal which, under the caption, The Plumb Plan, reminds the delegates to the Engineers' Fourth Triennial Convention that they were the moral and intellectual leaders in the plan for the "democratic ownership and control of the railroads" while its author was alive. "The Engineers will have to resume an even greater responsibility now that he has gone. . . . We have long since taken our dirt roads out of private hands; we shall have to do the same with our steel roads. . . . Here is another opportunity for the Brotherhood to render a great public service, especially since Grand Chief (now President) W. S. Stone is the National President of the Plumb Plan League." The logic of the policy so indicated led the national executives of the Brotherhood actively to sponsor the Third Party movement just as the adherence of the president of the miners' union to the Republican Party was consonant with the recent conservatism of the miners' industrial policy.

THESE two divergent points of view are in clash at the Coal River Collieries, and it is from them that this controversy derives its larger social significance. The situation there bears certain underlying resemblances to that which confronted the management and the shopcraft unions on the Baltimore and Ohio Railroad at the end of the railroad shopmen's strike for 1922 (see B. & O. Engine No. 1003, The Survey, January 1924). Had the unions in that case adhered to the rigid logic of traditional collective bargaining, it is conceivable that the B. & O. might have felt constrained to abandon its locomotive repair shops and make contracts with outside non-union concerns. Instead, they came forward with a plan for technical cooperation designed to show that "organized labor under proper conditions will rapidly acquire a fundamentally constructive attitude toward industry; . . . that there is a next step in collective bargaining which, if it can be taken, will enhance the value of the institution and replace its purely negative functions by positive, constructive ones."

The situation at the Coal River Collieries is not unlike that which has arisen scores of times in the needle trades where, in periods of business expansion, new shops tend to spring up with the same disconcerting rapidity that characterizes the opening of new mines. I put the problem to a leading executive in one of the largest needle trade unions. Passing over the immediate equities in the case, which are not here under discussion, and turning to the far-reaching question of policy, he explained the practice in his own organization. In the years when the members of his union were struggling for union recognition and for collective agreements as the essential defense against the sweat-shop, they necessarily focussed their energies upon a living wage as their major objective. Now, however, that their union is recognized at least as widely as the miners' union, and the principle of the living wage has been established, they find it both to their immediate and long term advantage to introduce a considerable degree of flexibility into the enforcement of their agreements.

Assume, [he said in effect]

(Continued on page 304)

What Calles Faces

Can the First Labor President Solve Mexico's Puzzle?

By CARLETON BEALS

THE new labor president of Mexico takes office this month. When Plutarco Elias Calles returned from his European tour a few weeks ago I interviewed him a number of times in New York. He is of medium height, powerfully built, with large piercing black eyes and heavy Arabic-Indian features—a picture of health, energy and good-nature.

"What was the outstanding impression of your European trip?" I asked him.

"The desperation of the German workers," he replied. "And at that they are a thousand times better off than my people of Mexico. And yet they call me a radical. Is it too much to demand that twelve million people, heretofore denied all the rights of civilized beings, be educated, given sanitary homes and the possibility of earning decent wages?"

"And in France?"

"France is the refuge of the old so-called Mexican aristocracy. In France they asked me, do you know such and such persons—men who have done their best to betray my country?"

"And your reply?"

He leaned forward in his chair, his finger vertical between his piercing black eyes. "It was at a dinner. I sat between a marquesa and a princess. The princess had asked me the question. I told her, 'Why should I know such people? I am a plebeian.' And at the banquet tendered me by the Commune of Paris, a most reactionary gathering, when they asked me what policy I intended to follow, I said, 'I intend to carry on the work of Jean Juarès, whom you murdered.'"

Whatever may be the individual attitude toward General Calles' opinions, his very personality is suggestive of a sweeping change in the whole Mexican scene. But a few years ago a would-be president of Mexico rode to power over the blood of his people; he remained in his position with no responsibility save to a small military and bureaucratic clique. Today President Calles can tell me, "Everywhere I have gone, I have sought contacts with the people of the various countries, with those small organized groups that represent the popular aspirations. I do not fit in with, nor do I know how to be polite to the formal diplomat whose principal function is to wear a frock coat, drink tea and utter banalities. These men make war; the people make peace."

Under Diaz, to belong to a labor union was a criminal offence. As late as 1916 Carranza, then leader of the Constitutionalist forces and provisional president, issued a decree outlawing strikes, and shortly after invoked a treason act against the leaders of a general strike in Mexico City. Nevertheless in 1917 Mexican Labor was able to write into the new *Querétaro* constitution the most liberal bill of rights ever guaranteed to the industrial workers of any

country. And today it has, ostensibly, put its candidate into the first office in the land. What does this signify? What chances has Calles for a successful administration?

STATISTICS in Mexico are about as thin as a Ziegfeld Follies costume. But probably the industrial population numbers about one million out of a population of fifteen million. One half of these are loosely organized into the *Confederación Regional Obrera Mexicana*. Very few of them pay dues. With the Confederation and the Labor Party (its political wing) is nominally affiliated another half million farm-workers organized into the National Agrarian Party led by Soto y Gama. Here again the organization is loose, inchoate. Yet these organizations, however lacking in coherence, represent a widespread democratic tendency, a popular social consciousness. They are the most active popular groupings in a country which has known nothing of democratic group control or direct political participation on the part of the people. They represent a shift in the bases of control of government that is revolutionizing Mexican political practices by steadily curtailing the greed and irresponsibility of the professional militarists and by limiting the unprincipled concession-grabbing by foreign capitalists. Oddly, Labor in Mexico has a decided Fascist complexion. A small faction of the Fascisti supported Calles for president. Mexican Labor is national and patriotic because capital is foreign. This gives Calles a broader appeal than he would have in most countries if elected on a Labor ticket. Yet the recent development and political inexperience of the labor and farm groups supporting him makes his position difficult. True, this gives his own personality disproportionate importance in the conduct of affairs; he is both less hampered and less assured in his position.

The conflict between social reformers and military factions, under cover, has many nuances. Thus during the recent revolution of De la Huerta, loyal militarists seized many large estates on the grounds that the owners had participated or abetted the rebellion. Nominally these estates should come under the control of other governmental departments; and the right of repartition of parts of them belongs to the National Agrarian Commission. The Commission has found it impossible to proceed in the face of military occupancy. This is more than a passing phenomenon. Many *hacendados* have voluntarily put their property under the wing of the regional military commandant. The commandant receives a liberal rake-off and in turn protects the owner against any expropriation by the Agrarian Commission or attacks from *Agraristas*. Here are points of friction that make difficult an orderly solution of the land-problem. This arises from the fact that the bases of political control are shifting from the feudal mili-