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ORGANIZED LABOR AND THE BLACK WORKER IN THE 1970's

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In several ways the 1960's was a period of great promise for black workers. It was a period of comprehensive civil rights legislation, of the longest economic expansion in modern American history, and of gains for Afro-Americans unprecedented in their long suffering experience. These gains were the result of the economic pump-priming of the Vietnam War, special government programs funded by an expansionist economy, and intense, bitter, and often bloody struggles.

As a result of these developments, and particularly of struggles of black workers and their progressive white allies against the trade union bureaucracies, the American labor movement by the end of the 1960's had traveled a far distance from the days when most industries were entirely "lily-white" and many unions excluded blacks from membership by either constitutional provision or initiation rituals, while others prohibited blacks by more subtle devices or permitted only token membership. By 1970 not only were there between 2,500,000 and 2,750,000 black trade unionists in America, but also the percentage of blacks in the unions was a good deal higher than the percentage of blacks in the total population — 15 percent as compared with 11 percent.[1]

By 1970 about 9 million black men and women were part of the work force of the United States. In such industries as steel and metal fabricating, retail trade, food-processing and meat-packing, railroading, medical services, and communications, blacks numbered one-third to one-half of the basic blue-collar workers. All told, about 2,700,000 blacks were in basic industry. Carried away by such statistics, social science professors began predicting that the American labor force would soon be mainly darker in color, and younger. "By 1980," went one prediction, "the number of young black people entering the work force will be five times that of young white workers."[2]

Yet precisely at the time that was written in 1970, the black unemployment rate was still two to three times that of whites, and black teen-age unemployment stood at the office figure of 29 percent, while black median family income was only 61 percent that of whites.[3] Moreover, blacks remained grossly over-represented in the low-skill, low-paying jobs and under-represented in the high-paying jobs. Of the 9 million black workers, 2,004,000 were classified as "operatives," or, as it is generally defined, semiskilled. Most of the others were in the two classifications below operatives — laborers and service workers. In most industries black workers made up a large proportion of these three categories. In the automobile industry, for example, blacks comprised 13.6 percent of the total work force but 21 percent of the three lowest categories; in steel, where 1.8 percent of the work force was black, the percentage in the lowest three categories was 21. In the electrical equipment industry, where blacks had 6.4 percent of the jobs, their percentages at various levels broke down as follows:

High-level managerial, professional, and sales jobs	0.7%
Clerical jobs	2.4%
Skilled blue-collar jobs	3.8%
Operatives	9.9%
Laborers	11.9%
Service jobs	18.5%

Thus, an increasing number of studies demonstrated that during the 1960's considerable economic gains were made by black workers, and that many industries once traditionally closed to blacks were forced to abandon their "lily-white" employment policies. Yet they also revealed that blacks by 1970 were still disproportionately concentrated in unskilled and semi-skilled work, earning the lowest wages, and were still in a precarious economic situation because, for the most part, they still occupied the lower rungs of seniority.[4] It was clear that any dramatic setbacks in the economy would have immediate impact for black workers, many of whom were only a pink slip away from unemployment.

Writing in *The Black Scholar* of May 1972, Carl Bloice saw a "triple threat" against black workers: "(1) the challenge . . . presented by the rapidly expanding scientific and technological revolution; (2) the growing concentration of finance, the growth of multinational or transnational corporations, and the appearance of huge diversified conglomerates; (3) governmental policies designed to preserve a high profit financial system, which acts adversely on black people." Bloice envis-

aged an increase in the introduction of automated processes in industry, the export of capital and jobs by multinational corporations, and increasing government stimulus through tax credits to achieve more rationalization, automation, and mechanization of industry. He predicted that these developments would seriously reduce the demands for employees in the unskilled areas in which most black workers were concentrated. In short, the serious dislocations created for blacks by the mechanization of agriculture were already making themselves felt through this "triple threat" in steel, automobile, meat-packing, and other industries, and this tendency, Bloice contended, was bound to increase enormously.[5]

Yet even Bloice did not foresee the catastrophic developments facing black workers within a few years after his article was published. For one thing, to the "triple threat" to the future of black workers one had to add others. One was the fact that throughout the country industry was moving out of the cities to rural areas or suburban parks, diminishing employment opportunities for blacks, since they cannot in most cases move to the suburban areas. According to the 1970 census, half of all employment in the nation's 15 largest metroplitan areas is outside city limits. Indeed, one of the fastest expanding job markets, that of service and retail industries, is increasingly centered in the suburbs. "It's a nice atmosphere," said one white worker in a suburban plant. But as the National Committee Against Discrimination in Housing observed, this "nice atmosphere" was not for most inner-city black workers, who could not find housing in the suburbs. "They would have to own cars, or take several buses at high fares and long traveling times to get jobs that average from $2.50 to $3 an hour."[6]

In April 1977, Patricia Roberts Harris, Secretary of Housing and Urban Development in President Carter's Cabinet, made it known that she intended to use federal leverage to provide equal access to housing for poor and racial minorities in middle-class white suburbs. "When businesses are moving from the central city to the suburbs, it seems to me unjust to say to the black and the poor that you may not live near where you earn your living," she said. "Communities that say we will take the benefit of a good tax base but will not let people who might benefit from that employment live in this community ought to be required to think about the injustice of that."[7]

But talk opened no suburbs to black workers, and by September 1977 the situation had grown even worse. A major new study prepared for the Department of Housing and Urban Development confirmed the continued economic drift of jobs to the suburbs, which still continued successfully to resist housing for black workers.[8] Little wonder a headline in the *Wall Street Journal* read, "To Many Ghetto Blacks A Steady Job Becomes Only A Distant Hope." The article went on to point out that "companies and jobs are moving out of the cities to the suburbs and beyond, where most blacks can't reach them. The importance of this can't be measured. Black unemployment is going to be excessively high as long as present housing patterns continue."[9]

These threats to the future of the black worker take on added significance when they are coupled with the serious blows black workers have suffered from the recession that got under way in the first quarter of 1974. Today unemployment in the black community is at depression levels. Officially, the unemployment rate for blacks in the last quarter of 1976 was put at 12.6 percent. The official rate, however, gives only a part of the real extent of joblessness among blacks. Blacks are more likely than whites to be numbered among those who are forced to accept part-time work when they want and need full-time jobs. Thus, just as the real level of overall U.S. unemployment is 10 percent, a more accurate measure would put the black rate at 20 percent or more.[10]

Black workers suffered a double blow from the recession and its aftermath. The recession hit black workers harder and the limited recovery has reached them to a lesser extent. Blacks, who held 10.9 percent of all jobs in September 1974, endured more than 21.7 percent of the recession-induced employment decline in just the next seven months. An Urban League report declared gloomily that "actual Black joblessness has remained at the depression level of one out of every four workers."[11]

As bleak as the unemployment picture is for black men, it is even worse for black women. In 1976, 13 percent of black women heading households were officially listed as unemployed; it is likely that the real figure was closer to 25 percent. Since about one-third of black families are headed by women, it is clear that millions of black children are reared in families with unemployed heads. In fact, today about one-third of all black children under 18 are in families in which male or female heads are unemployed or not in the labor force.[12]

The unemployment problems of black youth are so severe that it has been stated again and again that a whole generation is growing up without the job experience that is vital for successful careers as adults. Black youth made almost no progress toward improving their relative economic position during the 1960's — in sharp contrast with white youth. Today the situation is much worse. Officially, two out of every five black teenagers actively seeking work in 1976 were unemployed. However, since unemployment among black youth often takes the form of low labor market participation, some experts judge the real black teenage unemployment rate to be close to 60 percent. (Even the Federal government conceded as early as February 1975 that 41.1 percent of all black teenagers in the country were out of work.) In New York City the unemployed percentage of black youth is officially placed at 86 percent![13] On April 8, 1977, the *New York Times* informed its readers,

> Thousands of teen-agers, most of them blacks and Puerto Ricans — including many who had waited all night in near freezing weather — lined up at community employment centers throughout New York City yesterday for the second day of registration for summer jobs. Between 5,000 to

> 6,000 young people lined the streets around [one] center, with many arriving as early as 4 A.M. to register for the 1,683 jobs alloted here. And for the second day many were turned away. In fact, the crowds were so large at two centers in the Bronx that the centers did not open, causing anger and disappointment among the thousands of teenagers and parents who had accompanied them.

Bernard E. Anderson of the University of Pennsylvania Wharton School of Economics, who has done considerable work in the field of unemployment among young blacks, declared pessimistically, "Nothing at the moment promises to reverse the 'permanence' of black joblessness."[14]

Two things are clear: (1) blacks have not participated at all in the national recovery from the 1974 recession; and (2) mounting black unemployment makes a mockery of the last decade and a half of affirmative action programs designed to eliminate racial discrimination in the workplace. Indeed, the United States Commission on Civil Rights conceded the validity of these conclusions in its February 1977 report entitled, "Last Hired, First Fired — Layoffs and Civil Rights." The Commission's study brought to the fore a problem which most white unionists are unwilling even to face, let alone deal with. It stated that layoffs based solely on seniority in recession times threaten "to cripple the economic progress of minorities and women, and to erode affirmative-action plans." Again: "The continuing implementing of layoffs by seniority inevitably means the gutting of affirmative action efforts in employment . . . ."[15]

One does not have to be an expert in labor relations to understand that the seniority issue is a complex one. To the worker in the factory seniority is crucial. His standing on the seniority roster, which is determined by the date on which he was hired, governs whether, when layoffs come, he will be demoted or perhaps let go altogether. It also determines his prospects for advancement into more skilled and higher-paying jobs. Naturally, the worker can be expected to defend his seniority fiercely against any move to interfere with it. Still, it is difficult to escape the fact that the use of seniority promotes racial discrimination and black unemployment, since white workers, having obtained their positions in most cases before blacks, have the most jobs with senior status. As the events of the last years have painfully demonstrated, despite all the progress in the field of employment and union membership for black workers, the traditional slogan applied to the black working class since the founding of the nation — "Last Hired, First Fired" — is in full operation.

Of course, blacks who entered industries earlier and continued on the job also have seniority rights which they are anxious to protect. But even they confront the seniority issue when they try to move into better-paying categories.

The relation of seniority to black (and women) unemployment has been long recognized, but also long neglected, by the labor movement. Many union leaders argue that to modify the seniority provisions even slightly, especially in a period of unemployment, would be discrimination in reverse, in this case against white workers. To this blacks answer that Negroes should be given some form of recompense, even at the expense of white workers in the same plant, for the discrimination they have endured in the past.

Perhaps the most vicious aspect of the complex seniority issue for black workers has been the maintenance by corporations, with union agreement, of separate lines of promotion and seniority for black and white workers. As a result of this the black worker is virtually frozen into a dead-end position. This issue had been discussed for years in scholarly journals, but early in 1973 it was brought to the attention of many Americans who knew little of the problem when newspapers throughout the country carried headlines reading, "Bethlehem Steel Plant to Alter Seniority System to Aid Blacks." On January 15, 1973, Labor Secretary James D. Hodgson ordered the Bethelehem Steel Corporation to open job classifications formally restricted to whites only. The directive was issued under Executive Order 11246, which requires government contractors to follow nondiscriminatory employment practices and to take "affirmative action" to ensure that job applicants and employes are not discriminated against on the basis of race, color, religion, sex, or national origin. The executive order, in turn, is based on the Civil Rights Act of 1964.

The order followed by slightly more than two years a finding by a federally-appointed panel that Bethlehem practiced discrimination at Sparrows Point through its seniority system. It found that most blacks at the plant had been placed in inferior, dirty, low-paying jobs and that most whites had been placed in departments with more desirable, higher-paying jobs. For example, blacks were given refuse-disposal and coke-oven jobs, while whites worked as timekeepers and sheet-metal workers. The panel found that the company's seniority system "locked" blacks into their inferior positions and discouraged them from trasferring to better units. The earnings of whites, the report noted, were higher than those of blacks. The average "job class" or pay rate of black workers at Sparrows Point was 5.71 while the average for whites was 9.62.

Blacks, in short, were assigned "to those departments, units, and jobs in which the working conditions were the least desirable, the pay lowest, and the opportunity for advancement smallest." Blacks were assigned to Construction Labor (100 percent black), Cinder and Refuse Disposal (99 percent), Blast Furnace (81 percent), and Coke Oven (75 percent). On the other hand, the more desirable departments or shops were entirely or predominantly white — Pipefitting (100 percent), Lubrication (100 percent), Erection (98 percent), Sheet Metal (98 percent), Pattern Shop (100 percent), Time-Keeping (100 percent), Tin and Strip Mills (88 percent), Machine Shop (100 percent), Tin Mill Assorting — female (98 percent).

When black workers at the plant had applied to the company for promotion to more skilled departments, their applications had been refused. When they took their case to their trade union, United Steelworkers' Local 2610, requesting grievance papers to file a claim against the company, union officials refused to give them the papers and told them to take their case to the Equal Employment Opportunity Commisssion. Meanwhile, white workers with less seniority were promoted to the positions the blacks had applied for.

Pressured by the EEOC, Local 2610 finally prevailed upon Bethlehem to accept the application of one black worker, George Mercer, for promotion to crane operator. The company agreed, and Mercer was promoted. But he continued to be paid a laborer's wages while operating one of the company's huge cranes. After five years, on May 27, 1971, Mercer and four other black steelworkers who had had similar experiences brought suit charging Bethlehem Steel with racial discrimination. The suit named the United Steelworkers as a co-defendant!

The suit prodded the Labor Department into action. In his order Secretary Hodgson called for the following measures to be taken. First, workers who have never transferred out of mostly black departments must be informed in writing of the opportunity to do so; second, transfers would be based on plantwide seniority, which meant that a worker in a "white" department with only three years' service would no longer be able to move to a better job before a black worker with more seniority who applied for the job; and finally, workers who transfer to better jobs would be "red-pencilled," which meant that they would keep the wage they reached through seniority in the "black" department even though the job in the "white" department paid less.[16]

A Labor Department lawyer described Hodgson's order as the "most far-reaching affirmative-action decision yet by the Federal Department."[17] He failed, however, to add that, although there had been several court rulings outlawing dual white and black seniority lines, the government had been slow to move to implement them. Indeed, one decision had been in the case of Bethlehem's Lackawanna, New York, plants, where the company and the steel union had again been defendants, charged with practicing the same type of discriminatory seniority and promotion lines that perpetually held blacks to low pay and undesirable jobs. Instead of penalizing Bethlehem by canceling government contracts, as the law requires, the government had refused to act.

Although Secretary Hodgson's order reversed that policy, insisting that the continued safe and efficient operation of the Sparrow Point plant did not require the maintenance of the existing dual seniority system, many black steelworkers at the plant voiced skepticism that their job opportunities would improve as a result of the order. The order, they pointed out to a *New York Times* reporter, required the company and the union to end discrimination through normal bargaining channels, and they viewed this as being "like telling the fox to help the chickens." The account in the *Times* continued,

> "There is still discrimination at Sparrows Point," said William Jones, a black who was interviewed as he came off his shift as a cinder cleaner, atop one of the mills' big, hot coke ovens.
>
> Mr. Jones, wearing a hard hat and carrying the goggles and respirator he must wear all day to keep the red cinder particles from his eyes and lungs, has been working for 20 years in the same department, one consisting almost entirely of blacks.[18]

The skepticism of the black workers was based on experience. Not only had the company and the union fought the original ruling of the Office of Federal Contract Compliance, but their reaction to the Labor Department's order was not encouraging. Local 2610's head, Edward Binto, speaking for many white steelworkers at the Sparrows Point plant, called the order "discrimination in reverse." White workers voiced fear that blacks would be "pushed ahead" of them, and one said bluntly, "You give a colored person a finger and they want the whole hand."[19] Evidently the best solution for the union and many of the white steelworkers was continuation of the traditional system.

Sharing the skepticism of the black steelworkers, the National Association for the Advancement of Colored People's Legal Defense and Educational Fund announced plans to force a more basic corrective than provided for in Secretary Hodgson's order. The LEDF aimed to get back pay for all minority workers who had suffered by the segregated seniority systems, an injunction against discriminatory testing procedures that blacks had to undergo before they were permitted to qualify for previously white jobs, and a preferential quota for the immediate placement of blacks in supervisory positions and other job classifications from which they had been excluded. A number of these demands were achieved, over the bitter opposition of the United Steelworkers, and black workers had indeed received back pay for all of the years of suffering caused by the discriminatory seniority practicies. The union, incidentally, wept over the enormous sums the company was required to pay to the black members of the organization, and pleaded with them to accept a "more reasonable" payment which was a good deal less than what they were entitled to.[20]

The Bethlehem-United Steelworkers case pointed up sharply the fact that, even though barriers to union membership for black workers had been eliminated, they were basically second-class members who did not enjoy the same rights as white union members. Nor was this a problem confined to the United Steelworkers. In an article originally published in *Harper's Magazine* of May 1971, and widely distributed as a reprint by the A. Philip Randolph Educational Fund and the AFL-CIO, black spokesman Bayard Rustin, took white liberals to task for creating the impression that "the unions are of and for white people." After praising the labor move-

ment for its integrated character and its increasing black membership, Rustin conceded that "in some unions whites still possess a disproportionate number of the high-paying jobs and there is not yet adequate black representation at the staff level and in policy-making positions." But this situation, he said, though it is to be lamented, could not properly be placed at the door of "racial discrimination in the unions."[21]

On whom then should it be placed? Rustin gave the answer in September 1972 during a speech before the convention of the International Association of Machinists. He put the blame squarely on the shoulders of the black workers themselves. Addressing himself to the complaints of black unionists against union policies and practices, he said arrogantly,

> I want to say to our trade unionist Black brothers, nobody got anything because he was colored. That is a lot of bull. Not a man on the platform got there merely because he was white .... Second of all, I want to say to my Black brothers, stop griping always that nobody has problems but you black people.[22]

This was delivered at the convention of a union that for 60 of its 80 years of history barred "non-Caucasians"![23]

At the same convention, a resolution was introduced by Local 720B for advancement of black, Chicano, and women members to positions in the union from the local to the international level. It noted that while 26-30 percent of the membership of the IAM consisted of minorities, "direct representation entails a token 2 percent." The resolution did not call for specific quotas (the dreaded word in labor circles) or set any numerical guidelines for achieving its purpose; it merely asked that the top officers and executive board of the union's staff and leadership be more representative of the membership's composition.

The resolutions committee rejected the proposed resolution and submitted a substitute proposal. The committee conceded that it "cannot disagree" with the objectives of the resolution, but added, "We find ourselves on the horns of a dilemma, but we reject the notion that elected or appointed persons in the union's staff should meet certain standards based on sex, race, color, or creed." Its substitute resolution reaffirmed a nondiscriminatory policy and called on the union's officers to endeavor in good faith "to encourage use of the talents of women and minority group members in the paid positions and elected offices." The substitute resolution was adopted without discussion.[24] It is impossible to believe that, among the 30 percent of IAM members who were blacks, Chicanos, and women, there were none sufficiently talented to serve in paid positions or as elected officers of the union.

Equally incredible was the response of an International Ladies' Garment Workers' Union official to the charge that, while blacks and Puerto Ricans far outnumbered Jewish and Italian members, there were still no blacks on the 23-member General Executive Board; the one Puerto Rican on it represented only the locals in Puerto Rico and not the overwhelming majority in the mainland industries. The official stated "with some irony" that "General Motors could afford tokenism; the International could not and would not insult blacks by putting into leadership men who would be plain figureheads by virtue of their experience."[25]

We are expected, then, to believe that of the thousands of black ILGWU members there was not a single one who could be more than a "figurehead," if he or she were elevated into a leadership position. The contributions of blacks in leadership positions in unions like hospital; state, county, and municipal; distributive; meat packing; fur; and West Coast longshore, expose this as the insult it is to the black members of the ILGWU.

By the opening years of the 1970's many in the black community were convinced that — despite the burgeoning of rank-and-file groups of black workers, black caucuses, and black power activists seeking, among other objectives, the end of institutionalized racism on the job and in the unions[26] — the incumbent union bureaucracies were so entrenched that their hopes of success were slim. But one group of black workers had more confidence. This movement, known as the "Coalition of Black Trade Unionists," began at a conference in Chicago in September 1972, called by five black tade-union leaders: William Lucy, Secretary-Treasurer of the American Federation of State, County, and Municipal Employees; Charles Hayes, Vice-President of the Amalgamated Meatcutters and Butcher Workmen of North America; Nelson Jack Edwards, Vice-President of the United Auto Workers; Cleveland Robinson, President of the Distributive Workers of America, and also of the National Afro-American Labor Congress; and William Simons, President of Local 6 of the American Federation of Teachers in Washington, D.C.

The call for the conference stressed the sponsors' distress over the "neutral" stand of the AFL-CIO Executive Council and of some unions in the presidential election campaign, which they believed was contributing to the re-election of Richard Nixon. The call noted,

> We are concerned that the re-election of Richard Nixon will almost certainly result in four more years of favored treatment for the rich and powerful; continued unemployment; frozen wages; high prices; appointment of additional members of the U.S. Supreme Court who are conservative and insensitive to the rights of workers, minorities, and the poor; more repression and restriction of civil liberties; and the reversal or total neglect of civil rights.

About 1,200 black unionists, both rank-and-filers and officials, from 37 unions attended the conference. While major attention was paid to the presidential campaign, the conference made it clear that it planned to go beyond it and deal with matters of particular concern to black workers. Among the issues stressed by many of the black workers and officials were the failure of the AFL-CIO to organize the unorganized and to bring sub-

stantial numbers of nonunion black workers into the labor movement; the necessity for greater black representation in union leadership; the necessity for the organization of the poor in black communities; the importance of supporting actions in opposition to the Vietnam War; and the need to back legislation favorable to federal revenue-sharing programs that would bolster social services in the black community. It was also felt necessary for the Coalition of Black Trade Unionists to continue after the presidential election, regardless of who was elected, in order to provide a forum for blacks concerning their special problems within the unions as well as to act as a bridge between organized labor and the black community. "We must have a change," declared Charles Hayes, "and there will be no change without organization."[27]

Before adjourning, delegates from UAW locals, building trades and hospital workers unions, AFSCME, and dozens of other national unions decided to set up a continuing movement. A five-man steering committee was selected by the Chicago gathering to issue a statement of intent.

While the Chicago conference did not endorse George McGovern, the delegates voiced their determination to rally black voters in opposition to the reelection of Richard Nixon. The dismal showing McGovern made did not shatter the Coalition of Black Trade Unionists. The McGovern campaign, as William Lucy observed, had served merely as the "catalyst" for the new organization, and it would take concrete form at a constitutional convention to be held May 25-27, 1973, in the nation's capital. Once formed, the coalition would conduct a membership drive to enlist black union members throughout the country and would embark on an intensive effort to organize poor blacks. The new coalition would not be a "black separatist" or even a "civil rights" organization. It would work within the trade union framework for black workers and the black community.[28]

Barely had the news of the new organization been publicized when Bayard Rustin, black apologist for the white trade union bureaucracy, rushed into print with an attack on the media for their "extensive coverage devoted to the formation of a coalition of black trade unionists." There was no need for the new movement. "Black trade unionists are taking leadership positions in their unions, their communities, and in the political world with increasing frequency," Rustin assured all Americans. The A. Philip Randolph Institute, which Rustin headed, would solve whatever problems still faced black workers. "And we are happy to have the support of the labor movement in general and [AFL-CIO President] George Meany in particular in this effort."[29]

Asked to comment on the statement, William Lucy observed that Rustin's reaction to the coalition was "apparently in accord with the viewpoint of the AFL-CIO leadership." While the A. Philip Randolph Institute did important educational work, it "was in danger of becoming counterproductive because of its unqualified defense of the status quo in the unions."[30]

The call for the second annual convention of the Coalition of Black Trade Unionists in Washington, D.C., May 25-27, 1973, read in part:

> In September of 1972, more than 1200 black workers, representing the single largest gathering of black unionists in labor history, convened in Chicago for two days of discussion on the 1972 elections and ways to enhance black influence and power in the American labor movement.
>
> In keeping with the mandate of that historic meeting, we invite you to participate in the Second Annual Convention of the Coalition of Black Trade Unionists.
>
> The primary focus of the meeting will be the adoption of a constitution and a viable permanent national organizational structure through which black trade unionists can effectively project their views and maximize their influence in the labor movement.
>
> As black workers, it is imperative that we organize to gain a more substantial role in the development and implementation of local and national labor union policy . . . .
>
> We call upon you to lend your support to the effort to achieve dignity, decency and a better standard of living for all people . . . .

Some 1,141 delegates from 33 international and other unions attended. Most were from unions affiliated with the AFL-CIO, and 35-40 percent were black women. In general, the delegates represented basic industry, government, and service workers. A number of white delegates attended.

The Coalition of Black Trade Unionists was formally established by this convention, it was to meet at annual national conventions, and between conventions the Executive Council would be the governing body. The Coalition was also to be made up of state bodies and local chapters. The organization was to be made up of trade-union members:

> The National Convention shall allow all bona-fide trade unionists the right to participate in the policies and discussions of that body. The only requirement shall be proof of membership in a local or international body being a legitimate part of the trade union movement.[31]

A separate statement on "The Need for a Coaliton of Black Trade Unionists," signed by William Lucy, Nelson Jack Edwards, Charles Hayes, Cleveland Robinson, and Bill Simons, made the point that the nearly three million black workers in organized labor constituted "the single largest organization of blacks in the nation." It then pointed out that

> A free and progressive trade union movement should and must reflect greater participation of black trade unionists at every level of its decision-making process. As black trade unionists, we have an important role to fulfill, if the goals of the overall labor movement are to be achieved on behalf of all workers.
>
> During the early industrial development of this nation, black workers were basically a cheap

> source of labor. Today, blacks occupy key positions in the political machinery of the labor movement and hold the critical balance of political power in the nation. We are convinced that the responsibility to constructively harness and use the expertise and power of this vast political resource rests with black trade unionists.
>
> As black trade unionists, it is our challenge to make the labor movement more relevant to the needs and aspirations of black and poor workers. The CBTU will insist that black union officials become full partners in the leadership and decision-making of the American labor movement.[32]

"The sleeping giant is awakening," is the way a black unionist described the Coalition of Black Trade Unionists at its founding convention.[33] The giant, however, faced many obstacles.

Writing in *The Nation* in September 1974, CBTU President William Lucy put it bluntly: "The success of the Coalition of Black Trade Unionists will be measured by the degree to which unions open their leadership ranks to black workers."[34] By that sole measuring-rod, the CBTU has been a failure. To be sure, prodded by the Coalition and by a rank-and-file revolt of black and white steelworkers, the United Steelworkers, all-white at the top and in regional offices since its formation, finally added a black vice-president to its roster of union officials in 1976. In general, however, blacks in unions still have an infinitesimal percentage of top and middle-level union leadership positions. Most major unions, representing the overwhelming majority of union members, still do not have blacks in leadership beyond the local union level (and very inadequate even there). Charles Hayes, one of the black vice-presidents of the Amalgamated Meat Cutters and Butcher Workmen and a CBTU vice-president, observed at the 1973 AFL-CIO convention (during his remarks on a resolution calling for a re-examination of the labor movement), "We got a situation here where the labor movement is made up roughly ten to 12 percent black representation, I would venture to say we have less than two percent represented as delegates."[35]

Today the key question facing black workers is that of employment. It appears that at long last some indication exists that black and white unionists are uniting behind a campaign to achieve full employment.

This development has only recently emerged. Indeed, in the last few years, most black organizations and the AFL-CIO took opposite positions on the issue of seniority in several landmark cases before the United States Supreme Court. Over the opposition of the AFL-CIO, black workers, supported by the NAACP, have challenged the traditional seniority provisions as discriminatory. At first they were eminently successful. On March 24, 1976, by a vote of 5 to 3, the Supreme Court ruled that blacks who were denied jobs in violation of Title 7 of the Civil Rights Act of 1964 (prohibiting discrimination in employment because of race, religion, sex, or national origin) must be awarded retroactive seniority once they succeeded in getting those jobs. Blacks must be given the same seniority they would have had if they had been hired initially, the Court said, with all the accompanying rights, including pension benefits and, in the event of layoffs, better job security than that possessed by workers with less seniority. (The ruling on the rights of blacks in jobs appeared to assure the same rights to women who were discriminated against on the basis of sex.) The ruling did not mean that every minority member or woman who is newly hired by a company that once discriminated could get retroactive seniority. The person must prove in federal court that he or she was denied the job because of unlawful discrimination after Title 7 went into effect. The decision also left unanswered the question whether retroactive seniority is to be awarded to a person who was denied a job on the basis of race or sex before the enactment of Title 7, or to a person who did not initially apply for a job because it was well known in the community that the employer did not hire blacks or women.

Despite weaknesses, the ruling considerably strengthened Title 7's provision for affirmative action as a remedy in discrimination cases. It established the principle, in the Court's words, "that whites must share with blacks the burden of the past discrimination" in employment as they already must do in schools. Jack Greenberg, director of the NAACP Legal Defense and Educational Fund, which argued the winning side of the case, told a *New York Times* reporter that the ruling "assures the black victims of racial discrimination will be put in the rightful place."[36]

Greenberg was vastly over-optimistic. Despite the loss of newly won jobs by blacks (and women) in the recession years under the last-hired-first-fired principle, the AFL-CIO leadership would brook not the slightest interference with the seniority principle. The organization mounted a vigorous campaign against the Supreme Court's 1976 decision. On June 1, 1977, the campaign paid off. The Court retreated from its previous ruling, and declared 7 to 2 that seniority systems that perpetuate the effects of past racial discrimination, placing blacks at a disadvantage in the competition for better jobs and other benefits, are not necessarily illegal. The gist of the ruling was that unless a seniority plan *intentionally* discriminates against the workers it covers it is not illegal. The burden of proof of proving intent — an almost impossible task — is on the worker who claims he or she was discriminated against.

The Court thus made it clear that seniority systems can legally perpetuate favored employment for white males if the systems were in operation before the Civil Rights Act took effect in July 1965. Further, the Court placed more stringent requirements for proof of individual discrimination against complainants in cases after 1964. It thus became clear that changes in seniority systems in such landmark settlements as the ones between black workers and steel companies (such as the one in Bethlehem Steel discussed above), which have given wider opportunity to blacks trapped in the least desirable, lower-paying jobs, will be more difficult

to achieve in the future. Indeed, the Court's dissenters, Justices Thurgood Marshall and William J. Brennan, Jr., declared the Court's ruling would mean that equal employment for a full generation of minority workers would remain a "distant dream."[37]

But William Pollard, civil rights director for the AFL-CIO, which had fought for the decision, hailed the ruling, and smugly told black workers that "the problem is economic downturn, and not seniority."[38] The argument that the real answer to black unemployment is full employment is raised whenever existing racist practices in the unions are challenged, and is a frequent theme among black apologists for the trade union bureaucracy. But it has rarely been coupled since the recession hit hard in 1974 with meaningful trade union action on behalf of full employment. The AFL-CIO leadership, and especially George Meany, only reluctantly endorsed a mass rally in Washington, D.C., on April 26, 1975, sponsored by the AFL-CIO's own Industrial Union Department, calling upon the government "to put America to work." The New York Coalition to Support the Rally took a full-page ad in the *New York Times* of April 3, 1975, urging,

> We've got to go to Washington. We've got to stage a peaceful, orderly rally where hundreds of thousands of Americans will tell President Ford and all our elected officers: We want action! We want Jobs!

When the rally broke up into a series of bitter outbursts against the trade union leadership and establishment political leaders, the AFL-CIO leadership immediately let it be known that the era of mass demonstrations for jobs was over.[39] This was one pledge the AFL-CIO kept.

Meanwhile, the prestige of the labor movement in the black community, already seriously damaged by the battle over seniority, sank to new lows. This loss of prestige is also being reflected in other areas of American life. In May 1977 the Roper organization found that public confidence in labor leaders had slipped from 50 percent in 1975 to 48 percent, and that among union members 51 percent had confidence in the "system of organized labor" — down 13 percentage points from a poll in mid-1974![40] Undoubtedly, the failure of the trade union leadership to mount an effective campaign to alleviate the rising problems of unemployment helped explain the downward trend.

With continued inactivity on the issue of jobs, the Humphrey-Hawkins bill calling for government action to reduce unemployment remained simply a dream, even though it had gone through several stages of toning down in an effort to broaden the sponsorship and support. In the summer of 1977, as black unemployment rose to new and unprecedented heights, it seemed unlikely that, despite President Carter's campaign promise to support Humphrey-Hawkins, the bill would ever become law.

This was the desperate situation facing black workers, and especially young black workers, when 15 black leaders met on August 29, 1977, at the National Urban League's headquarters. Two general agreements were reached at the meeting. The first was that the participants would maintain a loose coalition to "counterattack" what they perceived to be an anti-black mood in the country. The second was that the top priority was to increase job opportunities for the nation's unemployed, and that the Carter Administration had failed to fulfill its promise to the black community — whose votes had elected the President — that it would give priority to the problem of full employment.

What was significant about this meeting was that for the first time since the 1963 March on Washington, all sections of black leadership, including black trade unionists, had agreed on the key issue facing black Americans. Another significant feature of the August 1977 meeting, also reminiscent of 1963, was that the demand of the black spokesmen was endorsed by leading white trade unionists. George Meany had remained aloof, to be sure, from the 1963 March on Washington. But now he lost little time in identifying the AFL-CIO, in his Labor Day message, with the black leaders' criticism of Carter and with the full employment demands. Other younger white labor leaders also were quick to associate themselves with the demands of the black leaders' meeting.[41]

Early in 1978 the Martin Luther King Jr. Center for Social Change granted its Social Responsibility Award to AFL-CIO President George Meany. In accepting the award — the justice of which I leave for future generations to assess — Meany emphasized that "full employment is absolutely essential if civil rights are ever to be fully enjoyed and exercised by every American." Later he observed, "Thanks to Arthur Burns and the Nixon-Ford Administration there is a new segregation in America. A segregation as bitter and brutal as the one outlawed by the Civil Rights Act. It is a segregation based on whether or not an individual has a job — those always working and those always jobless. Like segregation based on race, this new segregation must go." Still later, he noted that "black workers . . . are union members in greater percentage than their percentage in the work force generally . . . ."[42]

Not a word did Meany utter about the fact that these black workers are meagerly represented in AFL-CIO conventions, on the AFL-CIO Executive Council, and in the leadership of the unions affiliated with the Federation. Not a word about the fact that for black workers there is no such thing as "a new segregation in America," since black workers have faced this so-called "new segregation" throughout the history of this country. Finally, we are supposed to believe that until "full employment" — certainly a worthy goal — is achieved the problems facing black workers must remain problems; that nothing need be done about the troublesome issues of seniority, the increasing trend of industry to move to suburbs where blacks cannot live, and the failure of so many unions to deal adequately with the legitimate grievances of their black members. This is a position which Marxists cannot and must not accept.

However, when asked what his view was on the issue very close to the black population in the United States — the suit of Allan Bakke against the right of the

University of California to set aside a segment of each medical school class for blacks and other "approved minorities" as part of a proper plan of affirmative action — Meany hedged. The AFL-CIO President replied, "I don't know what the Supreme Court's going to do. Some of our unions take a pro-Bakke position and some oppose." Blacks were hardly assured by this seeming neutrality, or by the fact that Meany did not instantly endorse the position of the American Federation of Teachers, whose president, Albert Shanker, bitterly opposes meaningful affirmative action, and which has filed an *amicus curiae* brief on the side of Allan Bakke. The fact that the AFL-CIO itself is silent on Bakke, Ken Bode points out, "should not mask its underlying sentiment. Most of the unions of the federation hierarchy line up with Albert Shanker and Allan Bakke."[43]

To their credit, five unions have signed a common *amicus* brief defending the University of California. The five include the United Mine Workers, the United Electric Workers, the American Federation of State, County and Municipal Employees, the Farmworkers, and the United Auto Workers.

It is too early to tell, as this is written, whether a new labor-black coalition is in the making. It is also too early to tell whether or not, should such a labor-black alliance emerge, it will be more than an opportunity for the trade union bureaucracy to use black workers to achieve their own gains and goals, and, once these have been reached, abandon the black workers as they have so often in the past. The answer will rest on the degree to which progressive forces among black workers (including the Coalition of Black Trade Unionists) and among white workers play an important policy-shaping role in this coalition still on the horizon; it will also depend on the degree to which they are alert to the danger of its being used for the sole benefit of the existing trade union leadership.

We still have to travel a long way before we can say that racism is no longer an important influence in organized labor. Yet the fact remains that, while there is considerable evidence of employer-union collusion against the interests of black workers, blacks, like other workers, have gained from the achievements of their unions in the form of higher wages, improved working conditions, and better fringe benefits. The evidence is overwhelming that the economic status of black workers is always higher in unionized than in nonunionized industries. In a carefully documented study, "Racial-Discrimination and Trade Unions," Orley Ashenfelter concludes that "the average wage of black workers relative to the average wage of white workers is consistently higher in unionized than in nonunion labor markets." He points out, however, that this does not mean that trade union discrimination against black workers is a thing of the past. What it does indicate is that there is "apparently less discrimination against black workers in the average unionized labor market than in the average nonunion labor market."[44]

Discussing "Racial Discrimination and White Gain" in June 1976, Albert Szymanski concludes from a study of considerable evidence that white workers often lose from economic discrimination against blacks, since the entire trade union struggle to achieve better conditions even for the white working class is seriously weakened. Racism, he argues, is a divisive force which undermines the economic and political strength of working people and acts to worsen the economic position of white workers as well as that of the black working class. The answer, he insists, is the total elimination of racism from the labor movement.[45]

FOOTNOTES

1. Bayard Rustin, "The Blacks and Unions," **Harper's Magazine**, May 1971, p. 76.
2. **American Sociological Review**, June 1970, p. 32.
3. Lester Thurow, "Not Making It in America: The Economic Progress of Minority Groups," **Social Policy** 6(5), March-April 1976, pp. 5-8.
4. Among these studies the most interesting are the volumes published by the University of Pennsylvania Press under the direction of Herbert R. Northrup and Richard L. Rowan, carrying the general title **The Racial Policies of American Industry**. In all, 32 volumes will be published "to determine why some industries are more hospitable to the employment of Negroes than are others and why some companies within the same industry have vastly different racial policies." Already more than 20 studies have appeared, covering such industries as automobile, steel, hotel, petroleum, rubber tire, chemical, paper, banking, meat, tobacco, bituminous coal, lumber, textile, and drug.
5. Carl Bloice, "The Future of Black Workers Under American Capitalism," **Black Scholar** 3(9), May 1972, pp. 14-16.
6. **New York Times**, December 5, 1972; U.S. Bureau of the Census, **Census of the Population: 1970. General Population Characteristics, U.S. Summary** (Washington, D.C.: U.S. Government Printing Office, 1973).
7. **New York Times**, April 8, 1977.
8. **Ibid.**, September 18, 1977.
9. **Wall Street Journal**, November 15, 1976.
10. AFL-CIO, **American Federationist**, May 1977, p. 6.
11. **New York Times**, January 18, 1976.
12. **Ibid.**, August 3, 1976.
13. Philadelphia **Sunday Bulletin**, February 23, 1975; **In These Times**, September 14-20, 1977.
14. **New York Times**, July 12, 1976.
15. **Last Hired, First Fired — Layoff and Civil Rights**, A Report of the United States Commission on Civil Rights, February 1977, p. 61.
16. **New York Times**, January 15, 16, 1973.
17. **Ibid.**, January 17, 1973.
18. **Ibid.**, February 10, 1973.
19. **Ibid.**, January 22, 1973. The racist comment brought to mind the account in Frederick Douglass's narrative of his life during slavery when the wife of his master began teaching him the ABC's. "After I had learned this, she assisted me in learning to spell words of three or four letters. Just at this point of my progress. Mr. Auld [the slaveowner] found out what was going on, and at once forbade Mrs. Auld to instruct me further, telling her, among other things, that it was unlawful, as well as unsafe, to teach a slave to read. To use his own words further, he said, 'If you give a nigger an inch, he will take an ell.' " **Narrative of the Life of Frederick Douglass, an American Slave** (Boston, 1845), p. 33.
20. **New York Times**, February 22, 1974.
21. Rustin, **op. cit.**, p. 76.
22. **Los Angeles Times**, September 8, 1972.
23. See Philip S. Foner, **Organized Labor and the Black Worker, 1619-1973** (New York: 1974; reprinted in paperback 1977), pp. 70-73, 235, 247-49, 250.
24. **Los Angeles Times**, Seotemfber 9, 1972.
25. **Dissent**, Winter 1972, p. 48.
26. For a discussion of these various groups, see Foner, **op. cit.**, Chapter 25, "Black Power in the Unions," pp. 397-424.
27. **Labor Today**, September 1972.
28. **Ibid.; Daily World**, September 12, 23, 26, 1972; **New York Times**, October 3, 1972; Stanley Plastrik, "Coalition of Black Trade Unionists," **Dissent**, Winter 1972, p. 12; Coalition of Black Trade Unionists, **Conference Report**, Coalition of Black Trade Unionists, **Conference Report**, Chicago, Illinois, September 13-14, 1972, pamphlet.
29. "Letter to the Editor," **New York Times**, October 20, 1972.
30. Plastrik, **op. cit.**, p. 13.
31. **Labor Today**, May 1973.
32. **Daily World**, June 1-4, 1973.
33. **New York Times**, October 3, 1972.
34. William Lucy, "The Black Partners," **The Nation**, September 7, 1974, p. 180.
35. **Proceedings**, AFL-CIO Convention, 1973, p. 242.
36. **New York Times**, March 25, 1976.
37. **Ibid.**, June 2, 1977.
38. **Ibid.**
39. **Ibid.**, April 27-29, 1975.
40. **Wall Street Journal**, May 3, 1977.
41. **New York Times**, August 30, 31, September 5, 1977.
42. **AFL-CIO News**, January 27, 1978.
43. Ken Bode, "Unions Divided," **New Republic**, October 15, 1977, p. 20.
44. Orley Ashenfelter, "Racial Discrimination and Trade Unionism," **Journal of Political Economy** 80(3), May-June 1972, pp. 462-62.
45. Albert Szymanski, "Race Discrimination and White Gains," **American Sociological Review** 41(3), June 1976, pp. 403-13.