

PERSPECTIVES

Comparable worth is now officially opposed by Reagan

By Jo Freeman

This is Part II in a series on comparable worth.

COMPARABLE WORTH OFFICIALLY became a partisan issue last month when the Republican Party adopted a platform provision opposing it one month after the Democratic platform declared that party's support. To those who have followed the Reagan administration's consistent attempts to undermine all pay equity efforts this is not surprising. This pattern of opposition by all federal agencies concerned with discrimination led Lane Kirkland, President of the AFL-CIO, to tell a congressional committee last April that "the message the Reagan administration...is sending to the employers of America is that sex discrimination in wages and salaries is not really very important or wrong."

Even before the final draft of the platform, written by White House staff, was made public, the administration's attitude was apparent in hearings (called "consultations") on June 6-7 by the supposedly independent Civil Rights Commission. Although witnesses were invited to give academic papers, they were cross-examined by commissioners acting as if they represented the prosecution or defense rather than the disinterested fact-finding agency it is supposed to be. Leading the pay equity defense team (and joined solely by Blandina Ramirez) was Howard Law Professor Mary Berry. She was fired by President Reagan when he took office, but reappointed by House Speaker Tip O'Neill (D-MA) after Congress reconstituted the Commission under a different format.

Berry told *In These Times* that the Reagan-appointed commission majority had actually come out against comparable worth several months ago and agreed to hold hearings only after she challenged its legal right to take a position without investigation. She believes the new commission has become "a public relations arm of the White House."

An internal Office of Personnel Management (OPM) memo further revealed administration opposition to pay equity, and its strategy for slowing the issue's potential momentum. Rep. Mary Rose Oaker (D-OH) has two pay equity bills before Congress, one of which would require that OPM do a study of pay practices in the civil service much like the one that eventually led to the Washington state suit. The memo to OPM Director Donald Devine suggested that a congressional pay equity study could be used to "show a clear picture to the private sector about how ridiculous the concept of comparable worth is."

It went on to say that "the political possibilities of this situation should not be underestimated. By doing job evaluation across clerical and blue collar occupations, a comparable worth study would immediately divide the white collar and blue collar unions...since [the latter] would be the inevitable losers in such a comparable worth adjustment process." The memo advocated using the Oaker bill to "further divide this constituency of the left...[and] create disorder within the Democratic House pitting union against union and both against radical feminist groups."

Devine followed up on this suggestion a few days later by inviting representatives of several unions representing government employees to a briefing in his office on May 22 where they were lectured on how blue-collar pay scales would suffer if a pay equity bill was passed. At May 30 hearings called by Oaker the union representatives said that the purpose of the meeting was to mislead them into opposing Oaker's bill. They endorsed the goal of pay equity and denounced the clumsy political manipulation of the OPM. Saul Stein, research and education director of the Metal Trades Department of the AFL-CIO, demanded that Devine and the deputy who wrote the memo resign on the grounds that it was "a clear violation of the Hatch Act" that provides political activity by federal employees.

After the hearings Oaker amended her bill to require that the study be done by an outside consultant "in cooperation with OPM and federal labor and women's organizations" so that "the final product will not be subject to manipula-

several potential cases the EEOC could have brought to court or referred to the Justice Department for action that the agency has ignored.

EEOC Chair Clarence Thomas claimed that there are no sex based wage-discrimination complaints before the EEOC, only comparable worth cases, which "are not recognizable under Title VII." He told the Government Operations Committee that the EEOC considers sex based wage discrimination to be a "priority" issue, but has not been able to act on "comparable worth" cases because it does not yet have a policy on how to handle them. The committee concluded that the "EEOC has placed itself in a Catch-22 situation by refusing to act without a policy while at the same time refusing to squarely address the issue and adopt a policy." It found that "the Commission did not initiate any action until the committee began its investigation" and that it "has failed in its responsibility as the lead federal agency for enforcement of employment discrimination law."

The courts have not expressly permitted the bringing of "comparable worth"

His administration has been lobbying to exclude pay equity from consideration in equal opportunity matters.

three years to file a wage discrimination case. EEOC Chair Thomas had originally decided not to testify until threatened with a subpoena by the Committee.

The Labor Department has also declined to take action on comparable worth issues, and has tried to undo the achievements of the Carter administration. In 1978, when Ray Marshall was secretary of labor, suit was filed against the Kerr Glass Manufacturing Corporation charging that Kerr channeled its unskilled men and women into different but comparable entry level jobs whose evaluation was skewed to achieve sex discriminatory wage rates. Reagan's Department of Labor settled the case four years later by agreeing to drop wage discrimination and related back pay claims.

In 1979 the Labor Department's Office of Federal Contract Compliance Programs proposed revisions to its Sex Discrimination Guidelines that included a section on comparable worth. Reagan froze the new rules shortly after he took office and when the rules were finally issued on August 26 (the anniversary of women's suffrage) the comparable worth language had been deleted.

Opposition to pay equity has been so consistent and appeared so early that it is unlikely to have been arrived at independently by each of the federal agencies involved. Comparable worth was not officially a partisan issue until the 1984 party platforms were adopted and prominent supporters and opponents are still to be found in both parties. However, the person who has been most influential in shaping the Reagan administration's policies on women has been Phyllis Schlafly. Members of her Eagle Forum inundated the 1980 Reagan-Bush campaign with angry phone calls after it appointed many supporters of the ERA and pro-choice to



tion or partisan-politics." She also attached it to another bill on civil service pay that was supported by the administration in order to prevent a veto. This bill was passed by the House 413 to six in late June.

A pattern of subversion.

According to Winn Newman, the attorney who has handled the leading pay equity cases for 15 years, all the federal agencies obligated to enforce equal employment opportunity laws have been remiss since Reagan became President. In testimony before the House Committee on Government Operations last February he said the Equal Employment Opportunity Commission had interpreted Title VII broadly prior to 1981, but that "President Reagan's appointees to EEOC lost no time in expressing their opposition to correcting sex-based wage discrimination." He said the EEOC has taken no action on more than 250 charges currently filed with the agency alleging some form of wage discrimination and listed

claims, but have said that sex-based wage discrimination is a violation of Title VII. The EEOC's semantic distinction between a popular term and the legal one permits it to claim that it is fulfilling its legal mandate without having to violate the unstated policy of the Reagan administration to oppose pay equity efforts.

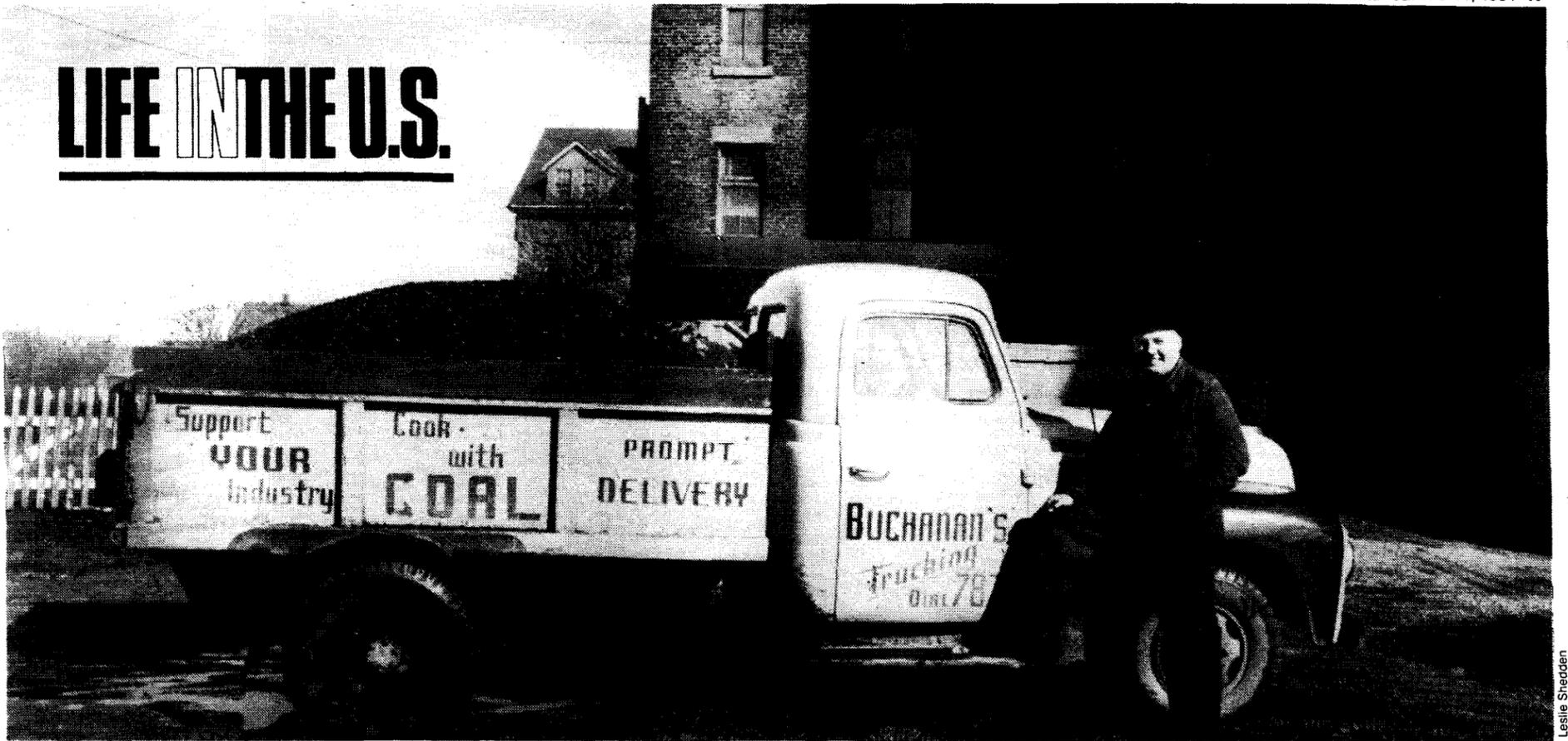
An earlier internal EEOC memo recommended dismissal of all comparable worth complaints, in part because most of them were against state or municipal governments. While the EEOC can investigate and attempt to conciliate complaints against governmental bodies, Title VII permits only the Justice Department at its discretion, not the EEOC, to sue them. It is the responsibility of the EEOC to decide which governmental cases to refer to the Justice Department for possible legal action. The EEOC memo said the Justice Department was "not likely to file suit." The Justice Department declined to testify before the Government Operations Committee on the grounds that it had "had no occasion" in the last

a Women's Policy Advisory Board. This convinced administration policy makers, particularly Ed Meese, that Schlafly, not feminist Republicans (most of whom had supported Ford or Bush), was the one to listen to on issues affecting women.

Schlafly and her Eagle Forum have consistently opposed comparable worth and have alarmed many conservative Republicans with their claims that it would lead to government wage controls. She has also opposed any studies being done by government agencies on wage based sex discrimination on the grounds that they are a preliminary step to expensive law suits. When Congressman Jack Kemp (R-NY), a 1988 presidential aspirant, spoke at Jerry Falwell's Family Forum III on August 18, he was criticized from the audience by an Eagle Forum member for voting for the Oaker bill. She claimed comparable worth was "an attempt to bring in the ERA through the back door."

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LIFE IN THE U.S.



By Anthony Schmitz

MINNEAPOLIS

Fifty years after the truckers' strike that rocked this city in 1934, evidence that it occurred is scant. The union's old headquarters is now a parking lot. The garage that held a union hospital, commissary and picket dispatching crew has been replaced by a city employment and training program office. If there is a plaque or a statue to commemorate the strike that made Minneapolis a union town, it is surely well hidden.

A couple of weeks ago the local unions organized a picnic to commemorate the two who died and the 65 others wounded during the struggle to organize the Teamsters. It was one of those days when levels of history collide with each other. Bernadette Devlin McAliskey spoke about Irish labor history while an organizer of the Minneapolis strike, Harry De Boer, embraced the middle-aged sons of Harry Ness. Fifty years ago their father died with 37 police slugs in his body and was followed to his grave by a crowd estimated to be anywhere from 20,000 to 100,000.

An aging history professor recounted the story of the strike, but on that sunstruck day, in a park near the river, his story sounded like one about a different place and another century.

The strike began with coal haulers. In his book, *Teamster Rebellion*, Farrell Dobbs describes the life he lived in the coal yards. He shoveled coal for 60 hours a week at 18. He was eminently replaceable, since the city's skid row was full of out-of-work lumberjacks and farm hands. Any hope of organizing was crushed by the Citizens Alliance, a group of local businessmen. They had smashed the 1916 transit strike and confined organized labor to conservative craft unions.

Dobbs' life was changed by Grant Dunne, a driver whose truck he helped fill with coal. The Dunne brothers—Ray, Miles and Grant—and a Swedish immigrant named Carl Skoglund built a following among workers in the city's 67 coal yards. Ray Dunne and Skoglund both had experience with the Wobblies. Dunne was a lumberjack at 14, a harvest hand and IWW member at 15, and a convicted vagrant on an Arkansas chain gang at 19. He ran to Minnesota after his escape

and found work in the coal yards. Skoglund was born on a feudal estate in Sweden, emigrating after organizing a union in a pulp mill. He moved to Minneapolis after injuring his foot in the lumbercamps. He, too, ended up in the coal yards.

The Dunnes and Skoglund started organizing in the winter of 1930-31, using the structure of Local 574, a moribund union with a broad charter. Their efforts accelerated after Ray Dunne was fired for speaking at Communist League functions. By Dobbs' analysis, coal workers like himself were ripe for a revolt. If there is hope of getting ahead, however slowly, he wrote later, nothing will happen. But if workers are losing ground and the future is uncertain, then "the tinder of discontent" piles up. Minneapolis was ready for any spark, he said.

Dunne and Skoglund convinced 574's president, Bill Brown, to confront coal yard employers with a demand to recognize the union and negotiate. When they refused to talk to Brown, 500 drivers and helpers struck on Feb. 7, 1934. A fuel strike during a Minnesota winter, if the strike is at all effective, cannot be a lengthy affair. The truckers' strike was brilliantly organized. Teams of cruising pickets harassed scab trucks, dumping the contents of any truck they caught. The strike was over three days after it started.

A city-wide strategy.

The Dunnes, Skoglund and Brown reached an obvious conclusion after the coal yard strike: by controlling the movements of goods they controlled the economic life of the city. They started a drive to expand the union, adding other drivers and inside workers to Local 574. In doing so they bucked the Teamster's central office in Indianapolis, which dictated that workers be organized by the commodities they handled. The strategy pushed the Teamsters into an industrial form of organization for the first time.

Union teams went, Dobbs wrote later, "to garages, docks, warehouses, market areas, everywhere in the trucking industry." Weeks of organizing were capped by a mid-April forum at a downtown theater. There a letter was read from the Farmer-Labor governor, Floyd Olson, who said bosses fight unions because they

LABOR HISTORY

Another time, another place: Minneapolis, '34

mean "the end of their reign of exploitation of the working man and woman." Organize, he advised.

At the same time, employers held strategy sessions and formed a group called the Minneapolis Employers of Drivers and Helpers that rejected the local's demands for shorter hours, more pay and a closed shop. The union voted to strike on May 15.

This time the union organized as though it were conducting a military campaign. A garage was rented on the south edge of downtown and outfitted with a kitchen, hospital and mechanics' shop. Motorcycle patrols scoured the city for strikebreakers, reporting movements of scab trucks. Dispatchers sent out cruising pickets to intercept them. Other workers posted on major roads outside the city stopped trucks without union clearance.

Six days after the strike began, the Citizens Army—a group of police and deputized businessmen—marched on the market in downtown Minneapolis' near north side. When they were met by an army of Teamsters, the two sides set upon each other with clubs. In the battle that followed, 30 police and a handful of pickets were hurt. The union paper declared a victory and maintained control of the market. In a skirmish the following day two members of the Citizens Army were killed, including the vice-president of the Citizens Alliance.

The governor imposed a truce by threatening to call out the National Guard, but bargaining between employers and the union went nowhere. Truck operations resumed when the federal government's Labor Board announced an agreement so ambiguous that it inevitably fell apart.

On July 17 the union went out again. Teamster negotiators accepted a deal that federal mediators proposed, but employers held out. Their recalcitrance led three days later to the one-sided

shoot-out in the market.

That day police were determined to move a loaded truck through the streets. When a picket truck cut ahead of it, police opened fire. They fired again when pickets ran to carry off the wounded, and again when more pickets rushed into the market. One policeman was injured, while 50 pickets and 17 bystanders were hurt. Harry Ness and John Belor died from their wounds.

After employers again refused a mediated settlement, Gov. Olson declared martial law. At his order guardsmen raided the union headquarters, arresting Ray and Miles Dunne and Bill Brown. A few days later he sent guardsmen to raid the Citizens Alliance headquarters as well. Next Olson put a lid on military permits for truck movement, squeezing employers to agree to a

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deal. When employers sought an injunction against martial law, Olson went to President Franklin Roosevelt, who was visiting the Mayo Clinic in Rochester. After that meeting, the federal mediator pressured bankers who had allegedly extended the strike by threatening businessmen who caved in with ruined credit. A settlement was announced on August 21.

Sharing power.

Not long ago Hyman Berman, a University of Minnesota professor with a specialty in labor issues, considered the effects of the Teamsters' strike. It destroyed the Citizens Alliance, he said, and cleared the way for collective bargaining in Minneapolis. By his estimate, the battle was not over money so much as power. The question decided in the strike was whether business leaders would keep unilateral power in the community or share it with labor.

To hear union officials here tell it, the fight is far from over. Plant shutdowns are their issue now. Ask them about plants where their members have been thrown out of work and they start a dreary litany. Whirlpool, Iowa Pork, Crown Iron, Northrup-King—the list goes on and on. They know how to run a strike, but they are not sure how to fight with a boss who would rather run.

Harry DeBoer, the picket leader who took a police slug in his leg in 1934, still lives on the city's north side, and he's still full of advice for the common man. Workers, he told *City Pages'* Craig Cox recently, "got to get rid of this leadership. The only way we're going to accomplish this, set this thing on the right track, is workers have got to join a union, got to have a democratic union, and they have to support a labor party controlled by the unions. That's the only way." ■ Anthony Schmitz is editor of the *Minneapolis City Pages*.