

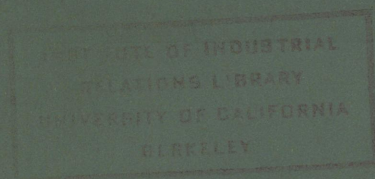
Univ.
Shelf

0.1

The business agent and his union

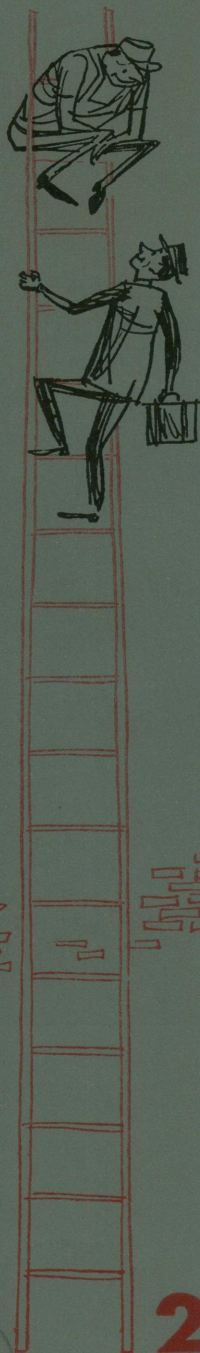
BY WILMA RULE KRAUSS
AND VAN DUSEN KENNEDY

Popular pamphlet



FEB 11 1958

**INSTITUTE OF INDUSTRIAL RELATIONS
UNIVERSITY OF CALIFORNIA • BERKELEY**



25c

The Business Agent and His Union

The Business Agent And His Union

By
WILMA RULE KRAUSS and
VAN DUSEN KENNEDY,

Edited by Irving Bernstein ... //

Illustrations by Bill Tara

INSTITUTE OF INDUSTRIAL RELATIONS (Berkeley)
UNIVERSITY OF CALIFORNIA • BERKELEY 2 1955

COPYRIGHT, 1955, BY
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

POPULAR PAMPHLETS OF THE INSTITUTE OF INDUSTRIAL RELATIONS

Northern Division:

Pensions under Collective Bargaining, by William Goldner
Strikes, by William Goldner
Hours of Work, by William Goldner
Productivity, by Peter O. Steiner and William Goldner
Guaranteed Wages, by J. W. Garbarino
The Business Agent and His Union, by Wilma Rule Krauss and
Van Dusen Kennedy

Southern Division:

Collective Bargaining, by Edgar L. Warren and Irving Bernstein
Making Grievance Procedures Work, by Abbott Kaplan
Employing the Seriously Impaired, by Robert D. Melcher
Wages: An Introduction, by H. M. Douty
Union Security, by Orme W. Phelps
Wage Structures and Administration, by H. M. Douty

Copies of these pamphlets may be purchased at the following rates:

1 to 9 copies—25c per copy
10 to 99 copies—20c per copy
100 or more copies—15c per copy

Order from the

INSTITUTE OF INDUSTRIAL RELATIONS

Northern Division:

201 California Hall
University of California
Berkeley 4, California

Southern Division:

Business Administration—Economics Building
University of California
Los Angeles 24, California

Foreword

THE INSTITUTE OF INDUSTRIAL RELATIONS was created by the Regents of the University of California for the purpose, among others, of promoting research on problems of industrial relations. A major objective is to foster understanding of labor-management problems by disseminating knowledge. Hence the Institute seeks through this series of popular pamphlets to make the products of research generally available.

Pamphlets like this one are designed for the use of labor organizations, management, government officials, schools and universities, and the general public. Those pamphlets already published (a list appears on the preceding page) have achieved a wide distribution among these groups. The Institute research program includes, as well, a substantial number of more technical monographs and journal articles, a list of which is available to interested persons upon request.

The nonfactory union represents more than one-third of American organized labor, and in some states, as in California, represents a majority of union members. With the spectacular growth in organization and power of the factory union, however, the activities of the nonfactory union described here have been largely overlooked. Yet the nonfactory union, personified by the activities of its key official, the business agent, is an im-

portant and integral part of American industrial relations.

Data for this booklet were gathered in interviews with business agents in the service, trucking, retail trade, and other unions by Marcia Wooster, under direction of Van D. Kennedy. Mr. Kennedy is Associate Professor of Business Administration at Berkeley and Associate Research Economist at the Institute of Industrial Relations. Wilma Rule Krauss is a former Research Associate of the Industrial Relations Center, University of Chicago, and a Research Assistant at the Berkeley Institute.

The Institute expresses appreciation to the following for their review and constructive criticism of the manuscript: At the University of California, Dr. George A. Pettitt, Herbert Blumer, Walter Galenson, Joseph Garbarino, Curtis Aller, and William Goldner; from the industrial relations community at large, George Rice, Director of Research and Education, International Brotherhood of Electrical Workers, Local 1245, AFL; Roger Randall, Secretary and Business Agent, Inlandboatmen's Union of the Pacific, San Francisco Division, AFL; and Richard Liebes, Director of Research and Negotiating Service, Bay District Joint Council of Building Service Employees, No. 2, AFL. Sherman I. Rifkin helped to plan the illustrations. Mrs. Anne P. Cook assisted with the editing. The viewpoint expressed in this pamphlet is that of the authors.

ARTHUR M. ROSS, *Director*
Northern Division

EDGAR L. WARREN, *Director*
Southern Division

Contents

	PAGE
I. MEET THE BUSINESS AGENT	1
1. The Business Agent's Duties	3
2. The Business Agent's Union	4
3. Importance of Nonfactory Unions	5
4. About this Pamphlet	6
II. THE SETTING: SMALL-SCALE BUSINESS AND LOCAL UNIONISM	8
1. Characteristics of Nonfactory Industries	8
2. The Workers and Their Jobs	12
3. What Are the Unions Like?	13
4. Union-Management Relations	17
III. PROFILE OF THE BUSINESS AGENT	22
1. Some Popular Misconceptions	22
2. Personality and Type	23
3. Sex, Age, and Background	24
4. How They Become Business Agents	26
5. Why They Run for Office	28
6. Qualifications	31
7. Term of Office and Salary	32
8. Headquarters	33

viii • *C O N T E N T S*

IV. THE BUSINESS AGENT'S JOB	35
1. Informal and Formal Duties	35
2. Negotiating	37
3. Strike Leadership	38
4. Carrying Out the Agreement	39
5. Assisting Members in Need	45
6. Job Placement	46
7. Political Activity	47
8. General Maintenance of the Union	47
V. SUMMARY	51
VI. SUGGESTIONS FOR FURTHER READING	53

I. Meet the Business Agent

JANE S—— hurried into the Commercial Building at 79 Francisco Street, took the elevator to the third floor and the door marked LOCAL 110—RETAIL CLERKS UNION. She entered a large office spotted with several worn desks and numerous filing cabinets. Several simply framed certificates of union affiliation adorned the otherwise bare walls.

“Is Al in?” Jane asked a nearby office girl, who stopped typing to summon the business agent. By the time Al came out from an inner office tears were streaming down Jane’s face.

He quickly took her inside where they could talk privately. “Now tell me what happened and we’ll see what we can do.”

As Jane calmed down she told her business agent this story: As he knew, she was working in women’s ready to wear at M——’s clothing store in San Francisco. Monday morning she became ill at work and went home. When she returned Wednesday the department head dismissed her, told her that she had been absent once too often, and that she should pick up her check at payroll time on Friday. Now it was Thursday and Jane didn’t know what to do. She wanted to go back to work if she possibly could.

After Al heard the details of Jane's case he promised he would do his best to get her reinstated. While she waited, Al phoned Mr. T——, owner of the clothing store, and arranged an appointment to talk over Jane's dismissal. He told her not to worry, that he would get in touch with her just as soon as he had talked with Mr. T——.

Inside the owner's office Al brought up Jane's case in a friendly, businesslike manner and suggested that he and Mr. T—— examine her absenteeism record. At first Mr. T—— maintained that the case was closed, but he did agree to discuss it further with the business agent.

An examination of Jane's record convinced Al that it was not quite up to par but "by no means justified her firing the other day." He argued persuasively that Jane was a good salesclerk, had served the company well for four years, and had a legitimate excuse for her last absence. Although the owner agreed with Al on these points, he continued to stress her absences from work.

"Why not give her another chance—take her back on a probationary basis anyway?" Al proposed. After another hour of discussion the owner agreed to reinstate Jane "providing she is on probation for the next month."

Shortly after Al left Mr. T——'s office he phoned Jane the news of her reinstatement and received her warm thanks and promise to improve her attendance record.

1. THE BUSINESS AGENT'S DUTIES

When Al arranged for Jane's reinstatement he was performing just one of the many duties of a union business agent. Al was elected by department store clerks of the Retail Clerks Union to represent Jane and her fellow workers in all questions which arise on the



job: disputes over pay, working hours, work rules, sanitary and safety conditions, promotions, and layoff. It is also Al's job to represent the members of his union in bargaining discussions with employers when basic decisions about wages and working conditions are made for the coming year and written into the union agreement.

But Al's duties often go beyond the bread-and-butter issues of the job. He is turned to by the members for help on family problems, on legal problems, and on

4 • THE BUSINESS AGENT AND HIS UNION

health problems. And his union expects him to represent it in the community both in labor matters and in general affairs.

The business agent is a key official in his union. In many ways he *is* the union—to most members, to many employers who deal with the union, and to other unions.

As used in this pamphlet, the term “business agent” refers broadly to all paid, full-time officials of the local nonfactory union—officials who may be referred to in their own organizations as business representative, business manager, secretary-treasurer, or president. In essence, all such officials play the same basic role in their union and may be considered as business agents.

2. THE BUSINESS AGENT’S UNION

Not all unions have business agents. Unions in the major manufacturing and mining industries like steel, automobile, electrical product, and coal usually do not employ business agents or, if they do, tend to divide authority and duties among several union officials so that the business agent is not the key officer pictured above.

The unions in which business agents generally play a dominant role are found in *nonfactory industries*: building and construction, transportation, retail and wholesale trade, and the services. In these industries workers are not employed in big plants. They perform their jobs as individuals or in small groups in a variety of workplaces, small shops, and establishments of all kinds.

The business agent typifies unionism in those industries and occupations with which we are most familiar as consumers and customers. In our day-to-day activities, in the grocery store, on downtown shopping trips, and in our leisure hours, we come in contact with many non-factory union members. They include the following:

- Clerks in grocery stores, drug stores, shoe stores
- Newspaper vendors
- Garage mechanics and service station attendants
- Barbers
- Bus and streetcar operators
- Waiters, waitresses, and soda jerkers
- Painters, carpenters, and other construction workers
- Hospital orderlies
- Drivers of delivery trucks
- Jazz band and symphony musicians
- Artists on radio and television

3. IMPORTANCE OF NONFACTORY UNIONS

Of course, many workers in these and similar occupations are not union members. Certain white-collar and unskilled occupational groups have been difficult to organize. Yet over *one-third* of the 16,000,000 union members in the United States are in nonfactory, business-agent unions. In California, where the construction and trucking industries are large and where unions have been unusually successful in organizing workers in the

retail and service industries, more than half of the 1,500,000 union members belong to nonfactory unions.

In the future we can expect the business agent and his type of union to become more important in American industrial relations. Most of our manufacturing industries, which employ just over one-third of all nonfarm workers, are already highly unionized. In the nonmanufacturing industries, which employ two-thirds or 30,000,000 of our nonfarm workers, unionism has a greater potential for expansion. And it is in these industries that conditions give rise to unions in which the business agent has a significant and key role.

4. ABOUT THIS PAMPHLET

This pamphlet is intended to help the reader gain a general understanding of unionism in the nonfactory industries. There are exceptions, of course, to the general picture presented in these pages. Not unimportant is the fact that some nonfactory unions do not have business agents nor do they operate in the manner described here. Conversely, some factory unions are structured like the nonfactory organization, and the business agent is their outstanding official. In addition, there are mixed-type unions, which may operate like factory or nonfactory organizations or a combination of the two.

Nevertheless, it is the major theme of this pamphlet that the nonfactory union and its key official, the business agent, represent a distinct general type of unionism.

The local wage bargain of the nonfactory union, the diffusion of its members of similar craft or occupation, the emphasis upon work rules and the closed shop, all clearly set off the nonfactory union from its opposite type, the factory union. These features will be fully discussed in the following chapter.

II. The Setting: Small-scale Business and Local Unionism

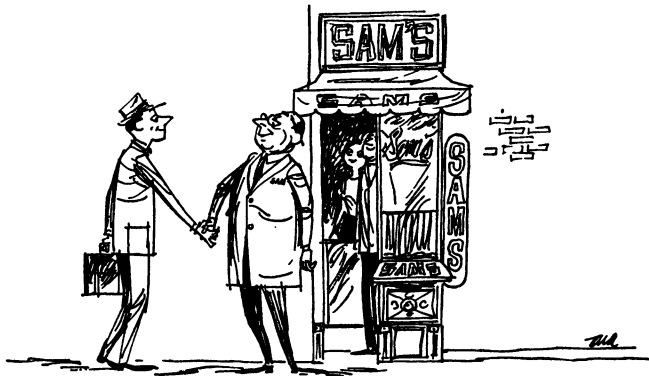
TO UNDERSTAND the work of Al and his fellow business agents all over America, we must know something about the setting in which they carry out their jobs. What are the characteristics of the industries in which they work? Who are the workers and what are their employment conditions? What are the unions like? How do the unions and employers bargain and what problems do they face?

1. CHARACTERISTICS OF NONFACTORY INDUSTRIES

The store clerk, the elevator operator, the waitress, the truck driver, the musician, and the house painter work in industries which seem very different but have much in common.

All of these industries are composed in the main of *small, local businesses*. There are some large businesses and national concerns, too, but they are in the minority. A glance at any main street or phone book tells us that retail trade—groceries, shops, and stores—and service activities of all kinds are carried on by many small out-

fits. The construction and trucking industries are essentially the same. Even the big national companies like Woolworth, Borden, and Safeway operate through numerous relatively small establishments at the community level. Most of these industries gain our patronage by offering us a selection of unique products or services at the many different places where we want them.



These industries are also highly *competitive*. One can enter the field with little capital, but competition is keen and many businesses fail each year. Thus there is *high turnover* among employers and this, of course, affects workers' jobs.

Other factors also contribute to *irregularity of employment* in these industries. Several, such as construction, longshoring, motion picture production, and the recreation and entertainment fields, are seasonal or experience daily irregularity in their demand for labor, or both. Other nonfactory industries operate more steadily

through the year but they must employ sizable numbers of extra and part-time help.

How important are the nonfactory industries in our national economy? Apart from construction, they are not the industries which produce consumer goods or the machinery and weapons that make us a great world power. On the other hand, they are the industries which distribute our material wealth and which provide the myriad services and forms of amusement so characteristic of the American standard of living. In addition, these industries give jobs to a very large number of American workers. Though it is impossible to say exactly how many jobs, we can get a rough idea from the following table:

EMPLOYMENT IN NONFARM INDUSTRIES IN THE UNITED STATES, 1951

Nonmanufacturing industries	<i>Number</i>	<i>Per cent</i>
Construction	2,569,000	5.5
Wholesale and retail trade.....	9,804,000	21.1
Service industries	4,759,000	10.3
Transportation and utilities	4,144,000	8.9
Finance, insurance, real estate.....	1,883,000	4.1
Government	6,390,000	13.8
Mining	920,000	2.0
	<hr/>	<hr/>
	30,469,000	65.7
Manufacturing industries	15,931,000	34.3
	<hr/>	<hr/>
Total nonfarm employment	46,400,000	100.0

This table shows that nearly two-thirds of nonfarm jobs in the United States are in nonmanufacturing industries. Of course, not all of these may be characterized

as nonfactory industries as we are using the term in this pamphlet, but a large proportion of nonmanufacturing employment belongs in that category.

The nonfactory industries also represent the great frontier for the American labor movement, for only one-third of the employees in these industries belong to unions. The pattern of nonfactory unionization is, however, irregular. For example, only a small percentage of nonfactory employees in retail and wholesale trade, the services, utilities, and finance, insurance, and real estate belong to unions. But employees in the construction, transportation, motion picture, radio and television, and telegraph industries are 80 to 100 per cent organized.

In some states unions have been highly successful in organizing the nonfactory employee. In California, for example, large numbers of service, retail and wholesale, and restaurant workers are covered by union agreement, as are truck drivers, construction, and entertainment workers. Nonfactory union members comprise more than one-half of the total union membership in this state.

The figures of the State Division of Labor Statistics are given in the following table:

UNION MEMBERSHIP IN CALIFORNIA BY INDUSTRIES, 1952

	<i>Number</i>	<i>Per cent</i>
Nonmanufacturing		
Construction	270,000	17.9
Wholesale and retail trade	166,000	11.1
Eating and drinking places, hotels and lodging houses	90,000	6.0
Miscellaneous services	87,000	5.8
Transportation and warehousing	193,000	12.8
Public utilities	60,000	4.0

12 • THE BUSINESS AGENT AND HIS UNION

Motion picture production and distribution, other entertainment	76,000	5.1
Government	56,000	3.7
Agriculture, fishing, mining	12,000	.8
	<hr/>	<hr/>
	1,010,000	67.2
Manufacturing	494,000	32.8
	<hr/>	<hr/>
Total union membership	1,504,000	100.0

2. THE WORKERS AND THEIR JOBS

The workers in most of these industries do not work in large concentrated groups in factories. Instead they are scattered throughout a city. Some work alone—as a hat check girl, an elevator operator, a bus driver, or repairman. Others work in small groups in stores, warehouses, restaurants, offices, laundries, and construction projects.

Industries such as construction and entertainment employ many workers with special skills or talent. But a large number of nonfactory jobs can be performed by semiskilled and unskilled workers. However, there is an important difference between these jobs and factory jobs. The nonfactory worker is typically neither a machine operator nor a man on an assembly line. His job is usually not automatic or repetitive; it often requires him to use his judgment and it also gives him some chance to express his own individuality.

In the nonfactory jobs performed by unskilled workers, large numbers of women and members of minority groups are often employed. These persons tend to be less

stable elements in the work force. This factor must be added to the other causes of high turnover and irregularity of employment already mentioned. We see, then, that for a combination of reasons a basic characteristic of nonfactory industries is a constant turnover in the individual employer-employee relationship.

3. WHAT ARE THE UNIONS LIKE?

Unions in the nonfactory industries have the characteristic of "business unionism," as defined thirty-five years ago by Robert Hoxie. They are organized primarily along craft and occupational lines, they decentralize bargaining and emphasize control of hiring and on-the-job conditions, and they are generally conservative. "Business unions," unlike the factory unions in the large manufacturing plants, tend to centralize authority in a key officer—the business agent. These unions are generally more reluctant to use the strike weapon than the industrial-type union. They likewise give less attention to worker education and political action.

a. *Role of local unions.* In the nonfactory unions the local is of primary importance. There are many reasons for this emphasis. Perhaps most important is that bargaining is conducted on a local basis with local employers. The nonfactory industries—unlike the large manufacturers of steel, automobiles, radios, and textiles—compete in a local market, rather than nationally. Grocery stores, restaurants, office buildings, and dry cleaning establishments are in competition with other similar

establishments in the area. Thus the local union, not the national organization, conducts bargaining and makes the major policy decisions.

Another reason for the importance of the local union is its function in *controlling hiring* and *enforcing work rules*.

The nonfactory union is compelled to maintain some control over hiring in order to protect its organization and the jobs of its members. The competition between employers, irregularity and turnover in employment, and the availability of a large supply of nonunion workers make job control a necessity.

This control may be complete where the union has a dispatching system or a hiring hall. Thus if Milton Smith, the bartender, or Harry Hall, the warehouseman, wants a job he goes to his local union. It gives him information about job openings and may assign him to available work. Also an employer may call in to the union and request a worker for a job. Then the union may dispatch John Walkshaw, the tugboat deckhand, or Tim O'Shea, the dishwasher, to the employer who has called the union. Other unions—those in the retail trades and some services—do not have complete control over hiring but have other safeguards to protect their organization and membership.

Work rules are also a means by which the unions attempt to meet the special conditions and problems of nonfactory jobs. These rules deal with the way work is to be performed, the equipment to be used, the number of workers to be used, the craft or classification that is to

do the work, and the rates of pay and scheduling of time which are to apply under a variety of different circumstances.

The work rules of each occupation or industry grow out of its own characteristic job problems. The window cleaners regulate the hanging and safety of scaffolding. Bus drivers place careful controls on the assignment and selection of runs. Automobile salesmen spell out in detail the obligations of dealers in such matters as commissions, trade-ins, and "house deals." The culinary workers are concerned with split shifts and the arrangements for extra work, special banquets, and out-of-town work.

b. *Composition of unions.* The nonfactory local union is usually composed of workers of the same craft or occupation throughout a city. There is great specialization and diversity among the locals, much more so than at the national level. Thus, the Teamsters national union consists of numerous groups of local unions, each group covering a different occupation or craft with its own particular set of job problems and interests. Warehouse workers, produce workers, truck drivers, all belong to separate Teamsters locals. The Retail Clerks national union has locals for department store, food store, shoe store, and furniture store workers. The Hotel and Restaurant Employees and Building Service Employees unions also subdivide into craft or occupational locals. And the Theatrical and Stage Employees national union has seventeen different locals in the Hollywood film industry alone.

In the large cities of America the nonfactory unions present a kaleidoscopic picture of one hundred or more separate locals, each representing a different craft or occupation.

c. *Relations among locals.* Does this narrow craft and occupational organization breed jurisdictional strife? That is, does it bring about disputes among unions over which has the right to organize and to represent a certain group of workers?

The history of nonfactory unionism has often been punctuated by jurisdictional struggles among rival unions. There has been such strife in the motion picture industry, in the building trades, and among other nonfactory unions. Although some of this rivalry has resulted in strikes and violence, the more characteristic jurisdictional struggle has been a quiet contest for gain and a jockeying for position. Moreover, the amount of rivalry has been considerably less than one would expect among these specialized and closely related nonfactory unions.

One reason why jurisdictional strife has never reached its potential among these overlapping unions is because they have established councils and committees where joint action and consultation occur. The Building Trades Council, Metal Trades Council, and joint councils of Teamsters and Retail Clerks are familiar examples of this type of organization. In addition, most local unions belong to a city-wide labor council cutting across many occupational groups. These also serve as coordinating bodies and check jurisdictional rivalry.

d. *Other characteristics.* Because nonfactory local unions are organized by occupational groups in a local market rather than by plants, their size depends on the size of the market and the extent to which the union has organized the potential membership. In the country as a whole, therefore, nonfactory local unions are *somewhat smaller* on the average than factory locals. But in the big cities where the unions have organized with some success, nonfactory locals are much larger. In San Francisco and Los Angeles, for example, local unions with memberships ranging from 2,000 to 14,000 are not uncommon.

The characteristic functions of nonfactory unions require a great deal of office work and leadership time. Nearly every local union that has the membership to afford it elects a full-time, salaried representative—the business agent. Larger locals employ several business agents and the necessary office staff. Those unions which operate hiring halls or dispatching systems have full-time dispatchers who specialize in this employment function. In addition, most locals elect some nonsalaried officers, executive board members, and delegates to other union organizations.

4. UNION-MANAGEMENT RELATIONS

Collective bargaining in nonfactory industries is usually conducted on a multiemployer-single union or a multiemployer-multiunion basis. Thus, groups of employers formed into a city- or county-wide employers'

association, representing common interests, negotiate with single local unions or, in some instances, union councils such as the building trades council.

Some employer associations negotiate and help enforce separate contracts with many different union locals. Likewise, some local unions bargain *separate* agreements with two or more employers' associations. For example, the culinary locals in San Francisco bargain separately with hotel, restaurant, private club, and cafeteria employer associations. Multiunion units in California, such as those in the motion picture and construction industries and in building service, bargain exclusively with employer associations for a *single* agreement which will apply to all parties.

There are, in addition, numerous agreements negotiated by single, unattached employers and nonfactory unions. However, the common pattern is for the individual employer and union to accept the terms of the contract previously negotiated by the employer association and union.

a. *Employer associations.* Although the local union plays the primary role or a prominent role in the negotiations, it is clear that the individual employer usually does not. He depends on the combined strength of the association, as well as its skilled negotiators, to deal effectively with the union or unions. The employer association has similarly assumed the responsibility for seeing that the agreement is enforced by both the individual union and the member companies of the association. Consequently, essential labor-management

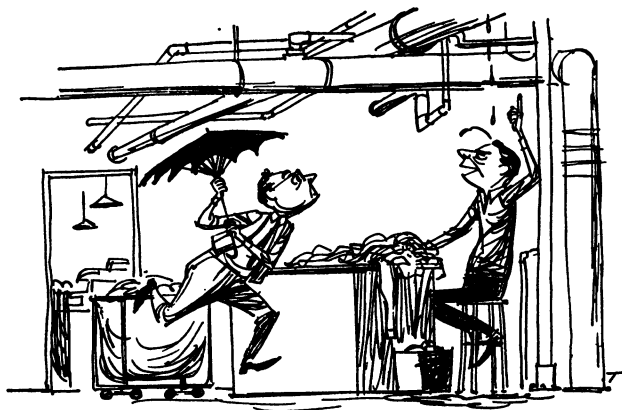
decisions appear to the individual employer to be somewhat beyond his control. Nevertheless, there may be a very real give-and-take relationship between the union and the employer group as a whole.

b. *Subjects of bargaining.* The subjects of bargaining between employers and unions in nonfactory industries are generally the same as in other industries. Unions bargain for wages, hours, overtime, holiday and vacation pay, hiring, firing, and grievance procedures, and sometimes health, welfare, and pension plans. But nonfactory and industrial unions *differ in the emphasis placed on some subjects*. For example, the closed shop or hiring hall type of union security is more necessary to nonfactory unions and thus more common in their agreements. Union rules are important in nonfactory bargaining but have little meaning in most factory situations.

The opposite is true of seniority — the principle whereby workers shall be promoted, laid off, or rehired according to length of service. This job security principle is of great importance in factories where large numbers of workers are grouped together in potential competition with each other. But the dispersed small-group employment conditions of most nonfactory industries do not require seniority rules and safeguards, and therefore they are not ordinarily found in the nonfactory union agreement.

c. *Day-to-day relations.* The day-to-day relations between the nonfactory union and the employer differ considerably from those in a plant. In the construction,

transportation, service, and retail and wholesale establishments, there are usually so few employees that it is seldom feasible or necessary to elect shop stewards. The workers deal directly with the owner or manager, as there is little intermediate supervision, or call in the business agent to settle their problems. Grievance pro-



cedure in the nonfactory firm is an informal affair compared with the complex, formalized procedure common in the factory. Also, the business agent, rather than the shop steward, is the principal union representative responsible for the daily enforcement of the agreement in the individual firm.

On another level, that involving the employer association and the local union or joint council, relations may be informal or formal. The nonfactory union, unlike its industrial opposite, frequently depends on the employer association to keep its varied individual members "in

line." Agreement to bring employers (or union members) in line is often reached over the phone or in an informal conference between a representative of the employer association and the business agent. More formalized relations occur on city or county joint boards, consisting of union and employer association representatives, which meet to settle union-management disputes.

In conclusion, relations between the employer and the employee tend to be more friendly in the nonfactory situation than in the industrial setting. This arises from the frequent and personal dealings with owners and management that the nonfactory worker usually has.

III. Profile of the Business Agent

IF YOU were to meet Al of the Retail Clerks union or any of the thousands of American business agents—what would he be like? How old would he be? What is his family background, his education and training? How did he come to his position of responsibility? And why does he like his work?

1. SOME POPULAR MISCONCEPTIONS

The union business agent has frequently been stereotyped. The unusual activities of the agent, rather than his day-to-day work, have made the headlines. Consequently many persons have an unfavorable concept of the agent. Others, although they picture him favorably, have tended to glorify him. The following four stereotypes represent some popular misconceptions of the agent:

1. *The labor racketeer.* This stereotype includes the image of a big, brash, cigar-smoking agent who is seen as bullying the boss and union members to further his racketeering interests.

2. *The radical agitator.* This type is pictured as a young

soapboxer who wants to take over management and to replace capitalism with socialism.

3. *The management "stooge."* This type has been pictured as a betrayer of labor who is in secret league with management.



4. *The devoted idealist.* This stereotype pictures the agent as a martyr to the workers' cause who lives on a pittance and idealistically devotes all his time and energies to unionism.

2. PERSONALITY AND TYPE

Very few business agents are racketeers, radicals, management "stooges," or idealistic martyrs. These are extreme types and while there are a few extremists among business agents, as there are in every walk of life,

it is basically an occupation which requires moderation. Actually, there is no one type of business agent, just as there is no one type of businessman, doctor, politician, or wage earner.

Viewed as a group, business agents are honest, hard-working men and women, people one would not single out on an American main street as different in any particular way. They build homes, raise families, and like to have a good time. Their political leanings are toward the Democratic or Republican parties.

Business agents do have one set of personality characteristics which distinguishes them: generally they are energetic, friendly, talkative, and self-assured men and women. Their jobs require them to be alert and outgoing and adept in their relations with many kinds of people—union members, business proprietors, officials in the labor movement, and employers' association representatives.

3. SEX, AGE, AND BACKGROUND

Business agent jobs are held primarily by men. A few women agents are found in those unions having a large percentage of women members such as those in the retail trade and restaurant industries. Business agents are usually in the mature age range of 40 to 65. A majority have completed a high school education and a few are college graduates. Some supplement their formal schooling by taking adult education work at nearby high schools and universities.

Business agents, as a group, have widely diversified backgrounds and work experience. Some have owned and managed their own business; some have switched occupations, others have worked at one trade for as long as thirty years. Generally, however, they have had a number of years' experience in the union and industry in which they become business agents.

Let's look at a few business agents in the San Francisco Bay area for a profile of age and experience.

J. V. is a business agent for a union covering bakery, candy, grocery, and drug store workers. He is fifty-nine years old and has completed the fifth grade of school. When J. V. was fifteen he began working in a grocery store. Later he went into business for himself and during the depression returned to grocery clerk work.

John ———, now thirty, is a business agent for an office workers' union. Unlike most agents, John is a college graduate who has had little previous union experience. On graduation from college, the local hired him to help in an organizing campaign. He became one of the three paid staff members and, at the conclusion of the drive, his fruitful organizing work and service to the membership earned him a permanent business agent position.

Albert ——— is a business agent for a union covering milkmen and other dairy workers. Al is forty-five years of age. He quit school in the eighth grade and came to California from the Midwest. Al sold newspapers and later worked for some large papers in building up their circulation. In 1927 he began working as a milk wagon driver and held this job until he was elected business agent.

4. HOW THEY BECOME BUSINESS AGENTS

Most business agents put in a considerable period of volunteer service for their unions before they are elected to a paid office. Some faced stiff competition for their jobs; others came in when the previous official



died or resigned; a few were appointed to their posts. Some business agents helped organize their local unions and became the first full-time officials at that time.

A few examples will illustrate the different ways in which some present-day business agents have come into office:

Stiff competition from an old official

In 1935 Joe ——— was driving a cab and had been an active union member for over five years. He was “fed up” with the “do nothing” policy of the business agent of his taxicab

drivers' local union. He thought something could be done, so he ran for office against an official who had held the job for twenty-four years. The membership agreed with Joe and elected him as their new business agent.

Organized his local

Charlie ——— was twenty-seven years old when the janitors' union began to organize in the office building where he was working. He was very much interested in the union and helped all he could to recruit members. At the fourth meeting of the new local—back in 1936—Charlie was elected vice president. A year later, his office became a full-time job and was combined with that of business agent. He has held his position ever since.

A volunteer for eleven years

In 1940 John ——— joined a machinists' local union. In the next eleven years he held five different volunteer jobs in the union. He started as a shop steward helping the business agent settle grievances. Later he was elected to the executive board, became a union trustee, vice president, and president. Then he ran for the office of business agent and was elected.

A "neutral" in a controversy

The membership of a local union covering boatmen employed on inland waterways was torn by internal factionalism. One business agent had already been forced to resign and a second was under great pressure when the international union sent in Roger ———, who had considerable union experience in another area. When the second business agent resigned, Roger was appointed by the local executive

board to fill out the two-year term. He was a "neutral" in the controversy and a "natural" for the job. Two years later he was elected by the members of the local to serve for another term.

Appointed by president of local

James —— met all the qualifications needed for business agent, according to the president of a local union covering hotel and apartment house custodians. Jim was "honest, believed in the trade union movement, got along with people and had the courage of his convictions." Also, Jim, who was an elevator operator, had helped organize employees on a volunteer basis and hadn't missed a union meeting for a number of years. In 1942, the president appointed Jim business agent and his nomination was ratified by the membership.

5. WHY THEY RUN FOR OFFICE

Why do business agents want this difficult job? It often involves long hours, personal inconveniences, and a constant succession of problems. It demands infinite patience and wide knowledge of labor relations, the industry, and social legislation.

The satisfactions that come from elected office in any voluntary organization are present in union office too. Officers in a lodge, a church, a fraternal organization—and a union—are generally looked up to. They have prestige and they gain satisfaction from playing a useful role in an organization they believe in. Business agents also exercise power over union members and over em-

ployers, and this undoubtedly is another source of satisfaction for them.

Business agents who were interviewed in the San Francisco-Oakland area gave these reasons why they ran for office:

To improve wages and working conditions for fellow employees

Dissatisfaction with management's treatment of workers

A desire to improve the organization

To defeat an ineffective officer

Drafted by fellow workers

A long belief in the importance of unionism

Many a business agent remembers the years when his wages were low and his working hours long and arduous. "I ran for business agent to make it possible for others not to go through what I went through," one former grocery clerk stated. "In 1909 my salary was 50c a day, I had no paid holidays or vacations, and worked 60-70 hours a week!" The objective of a constantly improving standard of living for working people underlies the thinking of most business agents.

In some, resentment was very strong against the employer. One business agent, a former warehouseman, recalls a job where he had to lift 130-pound sacks of sugar, a job that "almost killed me." He explained that he ran for office because "I was mad at the way in which the employers treated the unorganized worker."

Several were moved by dissatisfaction with their predecessors. One man complained of the "do nothing"

policy of a former business agent. Another said that under the old business agent, "conditions were deplorable. . . . We were only 50 per cent organized. He wasn't taking any real responsibility and the union was going to pot."

A few business agents reported that "the boys drafted me," and so they agreed to run for office. A former window washer said he was all set to move into another occupation when "the boys told me I'd be a good business agent and asked me to run. I was interested in the office, took a chance and got elected."

Only one business agent specifically mentioned good pay as a consideration. He was working as a business agent in one union local when he left and took a similar appointive position in a new local. "There was a crying need for a business agent in the new local . . . and besides," he explained, "there was more money in it." Since the income of a business agent is usually somewhat higher than that of the average member of his union, it is not unfair to assume that this is one factor which helps to make the job attractive.

In addition to their other motivations, nearly all business agents are firmly convinced that the workers in their industries have a permanent need for unions to protect and represent them. Some have been convinced by personal experience. Many have come from families with union backgrounds and grew up with this conviction. One business agent reported: "I was born in Iowa . . . we were very poor. I was the oldest of eight children. My father was an old Socialist and talked a lot about

unions. He showed me how a man is at the mercy of an employer when he's not organized. It stuck with me, I guess . . . anyway when I became a —— I joined the union. . . . Later I became much more interested and naturally if you are interested, you want to go to the high spot where you can do the most for the union."

6. QUALIFICATIONS

There are both formal and informal qualifications for a union business agent. The former are written into the bylaws or the local union constitution. They usually require that a candidate be a member in good standing for from one to three years, and, in certain cases, that he be a citizen and not a member of any totalitarian organization.

The informal qualifications are in the minds of the membership and are often more important. A few mentioned by San Francisco-Oakland business agents are:

- Must have a good knowledge of the industry
- Must be honest and truthful
- Must believe in the union movement
- Must like and get along with people
- Must be interested in members' problems

One agent, by no means typical, gave the following qualifications for a business agent in his local: "Being a good man in the trade, being experienced, a Republican, not drinking or smoking, and an all American. . . ."

Another agent summed up the ideal agent's qualifica-

tions in these terms: "The qualification of a business agent is the ability to serve in a mediator capacity between the worker and employer. The agent must satisfy the member that 'his rights' have been defended, and, at the same time, resolve the dispute in a manner that does not antagonize the employer. This may be largely a matter of personality, but it also calls for thorough familiarity with the trade or industry, a lot of flexibility and ingenuity in thinking and a genuine liking for people."

7. TERM OF OFFICE AND SALARY

Business agents, like officers of many other organizations, have a tendency to stay in office for some time. In a group of sixty-three business agents surveyed in the San Francisco Bay area, the average length of service was about eight years. Union bylaws ordinarily set no limits on the number of times a man may be re-elected but usually provide terms of office of one to three years.

As long as John, Paul, Roger, Charlie, and Joe do not displease any large segment of the membership, they are likely to be reelected. The maintenance of their position is essentially a political problem. Like any other politician, the incumbent agent holds an advantage just by being known. Also, the very nature of the job calls for frequent services to individual members which a "challenger" cannot match — except with promises. Nevertheless, retention of office depends on "bringing

home the bacon" in union terms, and a major error in this regard may cost him his job.

A business agent's salary usually compares with that of the highest paid skilled union worker he serves or with that of the managers with whom he customarily deals. In addition to the salary, most business agents have expense accounts which cover car expenses, extra meals eaten while working, and various miscellaneous services to union members.

8. HEADQUARTERS

Al and Jim and the other business agents rarely have a fancy place to work in. Most union offices are simply furnished. Often they are barren with little more than a certificate of union affiliation or sometimes a few union posters or photographs of union officials to decorate the walls. The office is usually in a moderate rental building, rarely in a high priced or new structure.

When the union membership has much job turnover, it is common for the local office to have a "dispatching" window, like a bank teller's window. A clerk or dispatcher talks to members as they come to the window and gives them assignments to new jobs. The office proper may be a large room or a suite of small rooms shared by the business agent or agents, other union officials, and the office secretary.

Sometimes union headquarters has a membership meeting hall or a large recreation hall where members

play pinochle or talk while waiting for word about new jobs.

In the union office the business agent can be visited at certain regular hours by members or can be reached by phone. However, many business agents spend most of their time in the field, visiting with union members at work or talking to employers—doing the many tasks required by their jobs.

IV. The Business Agent's Job

THE BUSINESS AGENT's job requires a wide variety of skills and experience and an ability to deal with people. The agent is frequently chief negotiator and administrator, and sometimes union organizer; he also plays the role of a public relations expert, an informal legal adviser, and a kind of chaplain to members who need advice and aid.

1. INFORMAL AND FORMAL DUTIES

The *informal* duties of an agent are those which are neither set down in the union's bylaws or constitution nor implicit in its formal purposes. They are the services which union members, officers, and sometimes employers have come to expect of the agent. Generally the informal duties are in the realm of *welfare* work—visiting the sick, helping members with family troubles, paying for funeral expenses, and being a “big brother” to union apprentices.

The *formal* duties of an agent are either expressly stated or implied in the local's constitution or bylaws. The specific contents of these bylaws vary from union to union. Some require that an agent collect dues and help establish picket lines, others do not. Some locals

specify that an agent will settle all grievances, others that an agent will check to see that union work rules are observed, and still others that the agent will help obtain jobs for unemployed members. Some bylaws are specific in outlining the agent's work, but most set forth his duties in a general way. The following excerpt from the



bylaws of an Oakland teamsters' local will serve as an example:

The business agents . . . shall attend to all controversies between this Union and employers and shall endeavor to adjust a settlement as soon as possible; they shall see that all members abide by the constitution and working rules and that any agreement between this Union and the employers is carried out and report all violations at each meeting; they shall see that members keep themselves in good standing . . .; they shall attend all meetings of the Union and the Labor Bodies with which this Union may affiliate, and such other duties as may be assigned to them by this Union, such as visiting the sick.

In the following pages we will discuss both the informal and formal duties of the business agent, how he carries out his duties, and some of the problems involved in his work.

2. NEGOTIATING

The business agent usually plays a major role in the planning of contract proposals as well as in negotiation. It is the agent who customarily draws up the original "demands" which are then presented to the membership for approval. Although in this prenegotiation planning the agent's role is technically advisory, his recommendations to the members carry great weight and may well be accepted as originally drafted.

Negotiation—the process whereby employer and union representatives meet to establish an agreement governing their future relations—requires a specialized knowledge of industry and employee problems. The business agent acquires this necessary background only through long experience in his job.

If the agent is the only full-time official of the union he may negotiate with employers alone, but he is more likely to have a committee of union members with him. In the large locals which employ several paid officials, the agents most familiar with the problems involved in a particular agreement will take the lead. And when the contract negotiation is between a group of locals and an employers' association, as in the construction and restaurant industries, a negotiating committee is usually

selected consisting of agents from several locals and officials of the joint board or council.

Negotiating may take up to one-fourth of the agent's time, or only a day or two a year. In those locals where the business agent is primarily responsible for negotiations, he may drop almost all other duties to spend full time on arranging a new agreement. When negotiations are completed the agent is the man who presents the new agreement to the membership for approval. Once it is approved, the agreement goes into effect and becomes the law for employers, union, and employees.

3. STRIKE LEADERSHIP

Should negotiations fail, the job of organizing a strike and maintaining the solidarity of the membership is assumed by the business agent. It is he who plans the strike strategy, organizes the picket line, and deals with the public.

In some instances, the agent may be responsible for finding temporary work for some members who may be on strike. In others, he may organize a relief program which provides outright money payments to the striking workers or food and a small subsistence payment.

As the strike progresses, the business agent handles the timing of the approach to management to renew negotiations. He reports back to the membership on progress of union-management conferences, and at the same time he strives to maintain members' esprit de corps.

The strike situation is most trying for the union agent. During a strike, he takes on the triple role of agitator, negotiator, and public relations man. He must maintain a neat balance, for too much agitation may wreck hopes for an early agreement, and failure to deal effectively



with public relations may have its influence on the outcome of the strike.

In most nonfactory situations, the business agent is assisted in the strike by affiliated union organizations, such as the Building Trades Council or the parent national organization. In addition, other local officials in the union play a prominent part in the conducting of the strike.

4. CARRYING OUT THE AGREEMENT

When the agreement has been signed, it is the business agent's duty to see that it is enforced. Al, Roger, and Paul must be vigilant to detect and prevent any

“bending” or “chiseling” by employers or union members. This is a particularly difficult task in nonfactory industries, for many employers are not fully aware of the agreement’s provisions and may violate it unintentionally. Also, union members scattered about a city are often new to the industry, have not closely followed negotiations, and are frequently unaware of the contract provisions or of union work rules.

Sometimes employers or workers *knowingly* violate the agreement. When a violation is agreed to by both workers and employers it is often difficult for the business agent to discover it and to bring both into compliance.

a. *Discovering violations.* How does a business agent discover contract violations? One important way is by getting out on his “beat,” that is, actually visiting the place of work covered by the agreement. Most business agents try to call at the workplaces assigned to them at least once a month. Some agents, such as those for the Variety Artists Guild and the Musicians, visit union establishments as often as once a week.

If you were to follow Al from place to place you would see him talking to workers, to foremen, to owners of businesses. Often members will come to him with grievances; or the employer may call him aside and report a violation; or he may discover grievances on his own and call them to the attention of the employee or employer. Many times a worker or employer will telephone him at the union office or call in person to discuss grievances or other problems.

b. *Kinds of violations.* Al and his fellow business agents handle a wide variety of problems involving contract interpretation and enforcement, ranging from job classification to conditions of rest rooms. In the San Francisco Bay area, business agents reported that most *employer violations* were the failure to pay the proper vacation, holiday, and overtime rates. The largest number of *employee violations* involved work rules regulating hours, speed of work, and kinds of equipment to be used.

c. *How adjustments are made.* How does Al handle an agreement violation once it is brought to his attention? Ordinarily the matter is handled informally and speedily. Problems are taken care of as they come up: an adjustment is worked out by talking to the employer or worker at the place of business or by telephone. Sometimes the business agent must take a matter to a representative of the employers' association. But it is rarely that a grievance or violation is formally written out or taken to a labor-management board for adjustment.

d. *Some case examples.* The following actual cases, reported by San Francisco-Oakland business agents, illustrate kinds of agreement violations, as well as how they were discovered and handled by the agents concerned:

Vacation pay

Art ———, a business agent for a union covering workers in a highly competitive industry, was talking to a member on the phone. The member called to complain about the

kind of food served when he was on duty. During the conversation Art discovered that the member had not received his vacation pay. Then Art called the manager of the establishment and discussed the food and vacation problems. He found that the employer had made an unintentional error on the vacation pay. Although Art could do little about the food situation, he did arrange for immediate payment of the sum due the member.

Tardy employee

Sam —— was visiting one of the businesses covered by the agreement when the manager asked him into his office. The employer reported that Jack —— was always late and that he was planning to fire him. The agent saw the worker's poor record and asked the employer to wait on the firing until he could talk to the employee. Shortly afterward the agent took Jack aside and told him that if he didn't observe the hours set forth in the agreement, the union wouldn't be able to protect him. The worker, according to Sam, "agreed to straighten up and fly right."

Hours and rest periods

Henry ——, a business agent in the entertainment field, was talking to a union member in a local night club. He was glad to see Henry because the owner of the club had cut down on the entertainers' rest period and tried to get them to work longer hours without additional pay. Henry talked to the owner and he agreed to abide by the union contract.

Shortly after a new agreement had been negotiated covering all businesses in a particular industry, Lee —— received a phone call. The member on the line told the business agent

Wage rates not observed

that none of the workers in his establishment had received the new wage rates. This was a serious matter. Lee talked to the other agents and to the union secretary-treasurer. Together Lee and his fellow agents called on the employer, who refused to discuss the violation. Later the employers' association was contacted and steps taken by the agent to settle the matter through a labor-management adjustment board.

Safety rule violation

Bill ——— was making his regular check of union establishments when he noticed a member alone on a scaffold. Working alone on a scaffold is prohibited by the union's work rules and the agreement, for safety reasons. Bill called the worker off the job and discovered that the member had agreed with the employer to do the work by himself. The agent warned the member that he would be fined by the union if he continued to work alone. The worker and later the employer—both of whom knowingly violated the agreement—agreed to abide by it in the future. Nevertheless, Bill made a mental note to drop by the establishment next week to see if the agreement was being lived up to.

e. *Relations with employers and members.* Handling these violations takes a great deal of skill, for the agent must maintain good relations with employer associations and individual employers, as well as union officers and members.

The agent deals with many different employers, some of whom are friendly to the union, others hostile; some are unknowing violators, and others are aware that they are "chiseling" on the agreement. But in his dealings with all employers, the business agent tends to meet

them on an *equal* footing. He is not one of their employees but a full-time professional official, often in the same income bracket as the small employer or the top manager. His standing in their eyes is further strengthened by the authority he wields in the union, the pressure he can bring to bear on any individual employer,



and his thorough knowledge of the business and its problems.

The business agent must also keep in mind membership reaction to his work. Al and the other business agents are usually aware that some members view them as "do nothing pie cards," others think they are "selling out to the bosses," and still others think they are too tough on employers. Consequently, the business agent must handle all contract enforcement problems skillfully. As his is an elective job, he knows that continued poor handling of these problems may bring about membership opposition and may endanger his position in the union.

5. ASSISTING MEMBERS IN NEED

As the business agent goes about his "beat" or attends to his routine work in the office, he is often approached by members seeking help. Welfare activities consume much of his time, yet Al and his fellow agents have come to accept this as part of their jobs. Many have assisted unwed mothers, parolees, runaway boys, and wives seeking divorce. Many also help members file income tax returns and claims for unemployment insurance and workmen's compensation. Others regularly visit sick and disabled members.

The following case, handled by an Oakland business agent, illustrates the nature of this welfare work:

Joe ———, the business agent for a warehouse union, received a telephone call notifying him of a member's death on the job. He immediately arranged for the body to be removed and then drove to the member's home to notify the family. There he found that the member's only relative was his 85-year-old disabled mother. Joe took charge of the funeral and began to straighten out the legalities of the member's will. In the process it was discovered that the woman was actually a foster mother who had found the boy alone and neglected, and had informally adopted him. The fact that the boy was not legally adopted raised problems concerning the will. At this writing the agent is still attempting to establish the foster mother's legal rights to her adopted son's will.

The welfare work that Joe and the other agents undertake gives them great personal satisfaction. It also helps

them consolidate their position in the union, for welfare activities are remembered by the membership at election time. Thus, the incumbent business agent has a definite advantage over any opponent who does not have a record of "service to the membership." In this respect, the business agent's job assumes political aspects not unlike those of a congressman whose political power depends on his constituents' belief that he has personally served them well.

6. JOB PLACEMENT

Only in some unions will the business agent be responsible for assigning members to jobs. When job placement is part of the agent's formal duties, the union staff is usually small and in many cases the agreement *does not* specify that union members will be given preference in hiring. If Al or Paul, the business agents, are in the office, they may take turns handling job dispatching, depending on who is free at the moment. Usually the procedure is very informal. The agent gives what help he can to employers who are seeking competent union help or to members who are looking for work.

In the larger local unions and those where the union controls hiring, dispatching is handled by the union dispatcher and, in many cases, the business agent may be forbidden to tell members of job opportunities. Despite this restriction, some business agents do find jobs for members as a personal favor. If problems arise in connection with the union's regular job placement activities, the business agent is usually called in as trouble shooter.

7. POLITICAL ACTIVITY

In some unions, it is essential that the business agent be active in local politics. Government regulations, such as those setting prices on milk or setting forth building codes, may directly influence operations of the union. Consequently, the business agent may find it necessary to lobby for or against changes in government policy or to work for the appointment or election of local officials who will be sympathetic to the union. In most instances, however, little of the business agent's total time is spent in political work. Political activity, particularly lobbying, is more usually handled by local central labor bodies—such as city federations of labor or trades councils—or by state-wide labor federations.

8. GENERAL MAINTENANCE OF THE UNION

There are a dozen duties that could fall under this general heading, duties which serve to keep the union strong and well administered. The most important will be discussed below.

a. *Signing up nonmembers and organizing new establishments.* Considerable employee turnover in some non-factory industries often results in the hiring of non-union personnel. The business agent must be vigilant to see that these nonunion workers join the union, and that members remain in good standing.

When does a business agent do organizing work? An agent is seldom responsible for the organization of non-union territory. In the least unionized occupations—such as retail selling, nursing, and office and professional work—systematic new organizing is usually handled by specialists known as “organizers.”

However, the organizing of new businesses or new employers is a different matter. Nonfactory industries usually have a large turnover in the form of new establishments opening up and old ones changing hands. Unions which have obtained uniform conditions throughout a city or market consider it essential that new businesses or managements abide by the union agreement. Ordinarily it is the business agent's job to organize these establishments.

If a new management has taken over a business which was previously covered by the union agreement, the agent simply informs the new employer of his obligations. If the business is new, the agent may use one of two methods: (1) *Organizing from below*. This method involves signing up a majority of employees as union members and then requesting the employer to abide by the agreement. In some cases a representation election conducted by the National Labor Relations Board may be necessary. (2) *Organizing from the top*. In this case the agent may simply go to the employer and ask him to sign the agreement which the union holds with other employers in the market. In most cases the agent will have discussed the union with the workers on the job, but in some instances the workers' first contact with the

agent may be *after* the agreement has been signed. The method used by the agent will vary depending on the employer's friendliness or hostility to the union and the strength of the union itself.

b. *Preventing "curbstone contractors."* The agent seeks to protect the standards established in the union agreement by maintaining vigilance concerning off-hours work of union members. In periods of recession, particularly, this activity by the agent is of utmost importance in maintaining the strength of the union.

c. *Collecting dues.* When a business agent collects members' dues, he usually is doing this as a service, not because his job requires it. Members are generally asked to mail in their dues or to pay them at the union office, but it is often more convenient to give them to the agent when he visits the place of employment. However, it is usually one of the business agent's formal duties to see that delinquents pay up and that new members pay initiation fees. As most nonfactory unions pay their current expenses out of dues and fees, this aspect of the agent's job is often essential to the financial security of the union.

d. *Attending meetings and reporting to the membership.* The business agent attends all membership meetings and meetings of the union's executive board. He helps make important decisions which may affect future negotiations, current agreements, and the general stability of the union. He is also required to give a regular report of his activities at the membership and board meetings and to be on hand to answer any questions.

In addition, the business agent frequently represents his union on the joint council of locals in its industry, on the city's central labor council, and at a variety of union conventions and meetings. He may also represent labor's interest in various community activities such as the Red Cross and the Community Chest.

V. Summary

TODAY more than half of America's nonfarm workers are employed in nonfactory industries—in construction, in trucking, in retail and wholesale trade, in hotels and restaurants, and in the entertainment and service fields. The nonfactory industries operate primarily in local markets and are composed of small, competitive businesses.

In this pamphlet these industries have been identified as “nonfactory” because of two basic facts: First, the workers are not concentrated in factories but are dispersed, working individually or in small groups in many different stores, shops, and workplaces. Second, the employees are not doing factory-type work; their jobs are varied and offer opportunity for individual discretion and control.

The nonfactory unions have adjusted to these conditions and acquired distinctive characteristics. The local nonfactory union is organized by occupations. The local union, and sometimes a council of local unions, bargains with a local employer or employers' association. Major bargaining policies include establishment of control over employment to protect the organization and the jobs of the membership, and establishment of work rules to standardize working conditions.

The key official in the nonfactory union is the business agent, a paid officer who usually has considerable union experience and an outgoing personality. His job varies from negotiating with employers to helping members with their personal problems. Despite the trials of his work, it has many compensations: his job is relatively secure and carries with it considerable prestige and power.

The business agent type union represents only one-third of the workers employed in nonfactory industries. The remaining two-thirds do not belong to unions, and this group—particularly those engaged in retail and wholesale trade—comprises the vast unorganized potential for American labor. Whether the nonfactory union, so dominant in California, will prevail throughout the nation depends to a great degree on the success of organizing this group.

VI. Suggestions for Further Reading

THERE IS relatively little material available on the role of the business agent and the operation of the nonfactory union. An excellent starting point for reading on this subject is Robert F. Hoxie's *Trade Unionism in the United States* (New York: Appleton, 1921) which discusses "business unionism" (pp. 45-56) and the activities of the "walking delegate" or business agent (pp. 182-187). A more contemporary source of information is "Nonfactory Unionism and Labor Relations" by Van D. Kennedy to be published in a forthcoming book on West Coast labor relations by the Institute of Industrial Relations, Berkeley. Selig Perlman in *A Theory of the Labor Movement* (New York: Kelley, 1949, reprint) discusses union work rules and business unionism under "Union 'Working Rules'" (pp. 262-272) and "Labor's 'Home-Grown' Philosophy" (pp. 272-279). A final source for an overall approach to the behavior of the nonfactory union is Edward Peters' *Conciliation in Action* (New London, Conn.: National Foremen's Institute, 1953) which contains numerous examples of the role of the agent in negotiations.

Insight into the operation of particular nonfactory

unions may be gained from reading the following: C. Lawrence Christenson, "Chicago Service Trades," in *How Collective Bargaining Works*, ed. by H. A. Millis (New York: Twentieth Century Fund, 1945); William Haber, *Industrial Relations in the Building Industry* (Cambridge: Harvard University Press, 1930); V. D. Kennedy, *Arbitration in the San Francisco Hotel and Restaurant Industries* (Philadelphia: University of Pennsylvania Press, 1952); Clark Kerr and Lloyd Fisher, "Multiple-Employer Bargaining: The San Francisco Experience," in *Insights into Labor Issues* (New York: Macmillan, 1948)—also available in reprint form at the Institute of Industrial Relations, University of California, Berkeley; and C. Wright Mills, *White Collar* (New York: Oxford University Press, 1951). For two postwar empirical studies of both nonfactory and factory local unions, see *The Local Union: Its Place in the Industrial Plant* (New York: Harper, 1953) by Leonard Sayles and George Strauss and *The American Worker as a Union Member* by Joel Seidman, Jack London, Bernard Karsh, and Daisy Lillienthal to be published in 1955.

The relationship between conservative unionism and its institutional security is discussed in "The Price of Union Responsibility" by Lloyd H. Fisher in *Unions, Management and the Public*, ed. by E. Wight Bakke and Clark Kerr (New York: Harcourt, Brace, 1949).

PRINTED IN THE UNITED STATES OF AMERICA
BY THE UNIVERSITY OF CALIFORNIA PRINTING DEPARTMENT