

The 1956 East Coast Dock Strike -- Its Background and Implications , ,

Bus. Adm. 256— Dr. Ross in Charge

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Longshoring has traditionally been a rough trade that attracted burly men to casual jobs - one of the least genteel of occupations. Irregularity of employment is its trademark denoting the waterfront as a typical example of a casual labor market - one in which the need for workers varies frequently and widely at a number of different points. In this case, the different points become pier areas or sub-markets, each of which operates largely independently of the others.¹ Until recently, workers were hired for a few hours or for a short period, some picked up at random when the employer had to get the job done quickly. Regulars and newcomers had the same chance of being hired as there was no requirement of previous experience.

This ease of qualification for work in a casual labor market was a natural attraction for those unwilling or unable to attain regular employment. The workers who have voluntarily chosen this occupation are those who wish to supplement earnings on other jobs by working after hours, students interested only in part-time work and those who enjoy the variety of casual work.² A comment by Eric Hoffer, a registered longshoreman in San Francisco and author of the philosophical treatise, The True Believer, typifies the spirit of those who have voluntarily chosen this occupation. He states that he likes the men he works with, and continued, "It would be hard to find another occupation with so suitable a combination of freedom, exercise, leisure and income."³ Others in this labor pool are the rejects of industry and society. Comprising this group are recent

1. Larrowe, Charles P. Shape-Up and Hiring Hall. Berkeley, Calif.: University of California Press, 1955, p. 50

2. Ibid, p. 49

3. "Talk of the Town", New Yorker, April 28, 1951, p. 20

immigrants and members of minority groups who typically experience difficulty in obtaining more desirable jobs, the temporarily unemployed, and the unstable element of the "drifter" who may have been regularly employed in the past but who for one reason or another has descended the occupational ladder to drift about in the casual market. The presence of records of criminal convictions with many of this group discourage opportunities for better employment, even if it were desired by the individual.

The market has been typified by a chronic labor surplus. This stems from constantly fluctuating employers' needs and unrestricted movement in and out of the market by the workers themselves. The fluctuating needs are natural results from shipping arrivals and departures which cannot possibly be regulated. However, the flow of labor in and out of the market is within the control of the workers' representative, the union, if he chooses to exercise it.

With such an extreme form of casual employment in the entire industry, there is found a great diversity in hiring methods despite the trend in most industries toward development of uniform working conditions. The divergent systems - the hiring hall with the International Longshoremen's and Warehousemen's Union on the West Coast and the shape-up with the International Longshoremen's Association on the East Coast - have had profound effects upon the collective bargaining relationship and the character of the unions representing longshoremen on the two coasts.

It is interesting to note that both unions have been divorced from their parent organizations. The ILWU has been discharged from the CIO on charges of "following the Communist Party Line", and the

ILA has been expelled from the AFL on charges of "racketeering and accepting bribes from employers."⁴ Currently, the ILA is virtually unopposed representing approximately 60,000 workers from Portland, Maine to Texas.

The sheer size and physical complexities of the Port of New York intensify any conditions which favor irregularity of employment. The waterfront has more than 700 miles of shoreline, and its 350 principal piers are scattered over two states and six different municipalities. Its cargo-handling facilities are surprisingly inadequate. All but one of the railroads serving the harbor come in on the New Jersey side while most piers where ships are loaded are on the New York side. Moreover, the majority of piers are so narrow that warehousing space is at a premium. Cargo cannot be stored on the piers which necessitates long lines of trucks on narrow streets, sometimes waiting for hours to pick up cargo just arrived in port or to deliver freight to out-bound ships⁵.

These unordered conditions then, if they lack any strong central authority, could easily lend themselves to exploitation of local areas. In an industry of stable employment, a union has conflicting interests. It is an instrument for the achievement of its members' objectives and has as a separate objective its own survival as an institution. Usually, this conflict is reconciled without great difficulty because the union can easily ensure its own survival by controlling the jobs over which it claims jurisdiction, as seen in a union shop agreement. It is then free to satisfy the interests of its members. But when workers are hired on a casual basis there are two alternatives for the

4. "Developments in Industrial Relations", Monthly Labor Review p.1099, Oct.'53
5. Larowe, Charles P. Shape-Up and Hiring Hall, Berkeley, Calif.: University of California Press 1955, p. 2

reconciliation of this conflict of objectives:

A. It can control the job market by restricting entry of newcomers thereby serving its own and individual members' interests at the same time.

B. It can forego any attempt to control the job market, maintaining its existence instead by controlling the workers themselves.

The ILA took the latter course which does not allow it to be considered an instrument for achievement of its members' objectives. Rather, it becomes identified with the interests of its officials and in the ILA situation, the hiring system became the most efficient avenue for their satisfaction.⁶

With this unique hiring system, longshoremen were "shaped-up" each morning at the docks where they usually worked. These individual shape-ups at each pier area which had cargo to be handled, did much to keep the union membership segregated in small units, ignorant of what was happening in other areas of the port. The shape-up was a situation in which the workers simply waited in the street until the hiring foreman appeared, blew his whistle, then formed a sort of horseshoe around him. From this group which typically out-numbered jobs, he picked men for the day's work. These men were guaranteed only four hours work which allowed another shape-up later in the day. There were variations of this in which regular gangs would be chosen but whatever form it took, the power in the person doing the hiring, whether gang foreman or union official, becomes very apparent. This

6. Ibid., p. 74

arbitrary dominion is strengthened by the implications of a chronic surplusage in a casual labor market, the low earnings of most workers and their intense competition for available jobs.

Statistics from the payroll records of the 1951 Board of Inquiry, Pacific Maritime Association, show the following annual earnings for New York longshoremen for 1950:

<u>NUMBER</u>	<u>PERCENT OF TOTAL EARNINGS</u>	<u>CUMULATIVE PERCENTAGE</u>
692	1.9	1.9
2,519	6.9	8.8
5,636	15.4	24.2
4,958	13.6	37.8
4,208	11.5	49.3
<u>18,527</u>	<u>50.7</u>	<u>100.0</u>
36,540	100.0	

The shape-up served the employers very satisfactorily, but for the longshoremen, it was a tremendous obstacle to the achievement of their goals. The frustration of the workers explains the random character of the unauthorized strikes which began breaking out in 1945, but the inconclusive nature and uncertain issues of these strikes showed how badly the longshoremen had been demoralized by the shape-up.

Looking back on the history of the ILA in the port, it is apparent that when the union obtained preference of employment for its members, in 1916 when the ILA secured its first port-wide collective agreement, but failed to limit the labor supply and to regularize hiring, it laid the groundwork for its ultimate corruption.

When workers of casual employment organize a union, usually the first item on the agenda is to establish a hiring system in which the intermediary function of hiring agent has no place to put his interests first. This typically involves restricting the entry of new workers in the labor force and developing some device for a fair and impersonal

distribution of jobs among the regular workers. This has been widely practiced by the maritime, building-trades and printing-trades unions, either through a union hiring hall or some similar device. But this was not the course followed by the ILA, though it was able to assure its members preference in employment as early as 1916. At this time, the hiring foreman was even a union member, but the union's failure to protect its members against competitors in the shape-up enabled the hiring agent to retain his arbitrary power. This, in turn, gave rise to abuses of that power. The extent of these practices is unknown because of the clandestine atmosphere in which they took place, but evidence of a variety of abuses has been brought to light by the New York State Crime Commission hearings.

The extortion of simple kickbacks in one form or another has been shown to exist since the first official studies of 1914.⁷ The "toothpick gimmick" was a variation of this abuse where men who had paid the necessary fee to a "hiring club" were instructed to hold a toothpick a certain way in their mouth as a means to identify them to the hiring boss. The loan sharks and bookmakers also had concessions to specified pier areas granted by the hiring foreman. Management is not without blame in fostering these conditions. One bookie testified in 1953 that he had arranged with supervisory personnel to be put on the payroll, although he performed no work, so that he would have the run of the docks and an alibi if police questioned his presence there. Subsequently, he made arrangements with the dock manager to pick up the pay envelopes of longshoremen who owed him money.⁸

7. Ibid., p. 54

8. "Pier Pay Case Ends", New York Times, February 14, 1953, p. 29

Payroll padding assumed various forms. The type which received the most attention from the Crime Commission involved top company officials putting "phantoms" on the payroll who guaranteed to keep them out of trouble with the union. This was merely one method of buying off union officials, but can hardly be attributed to the hiring system, an employer can engage in this practice regardless of the hiring system in use. The Crime Commission reported the cases of two such phantoms on the payroll of the Huron Stevedoring Corporation: James O'Connor, a business agent of Local 791, who received \$18,000 over a six-year period; and Timothy O'Mara who received more than \$25,000 in eight years. Another type of payroll padding - "short-ganging" - depended for success completely on the shape-up. Short-ganging required a close working relationship between the hiring foreman and the timekeeper; and the union representative, who closed his eyes to the fact that the contract might call for gangs of 21 men. The hiring foreman picked less than a full gang, usually 15 or 16 men, but the timekeeper recorded a full 21 names on his record, balancing out with fictitious names and spurious social security numbers. On pay day the extra pay envelopes were divided among the foreman, timekeeper, and union official.

The high turnover of workers facilitated the use of waterfront jobs for political pay-offs. In 1952 the Senate Subcommittee on Preparedness received a list of approximately 600 names given to two Jersey City hiring bosses by local city officials. Each name had been placed on a calling card with inscribed messages recommending the bearer as "O.K.".

Organized theft reported by the Crime Commission amounted to more than \$5,000,000 in 1948 and approximately \$4,000,000 during each of the years 1949 and 1950. This reached proportions which could only be explained by the operation of organized gangs engaging in large-scale theft. There was one instance of pilferage in which an official of the United States Lines testified that ten tons of steel had been stolen from a single pier area.⁹ Although the cited abuses have been the subject of idle conjecture among interested followers of the waterfront picture, they became factual realities when backed up by countless testimony in the Senate Crime Commission hearings.

There is no precise starting time for these practices, but the transition to an acknowledged device for its officials is in a period of 26 years from 1919 to 1945 when there were no major strikes or walkouts. This era saw the election of Joseph P. Ryan as international president in 1927. At this time, he also was Chairman of the New York State Parole Board, a position through which Ryan admittedly channelled an unlimited source of eager personnel to the waterfront. Proper rehabilitation of men with a record is admirable, but Ryan's justification of hiring so many with records is rather nebulous, particularly when these men were appointed as officials and organizers despite the fact that few of them had ever worked as longshoremen.

The industry found increasing attention from criminals in the middle 1930's with the repeal of Prohibition and an end of the opportunities it had offered them. Some were brought in by stevedoring companies as hiring foremen to maintain a "tough policy and keep the men in line through a fear of the ex-con." An example of

9. "Excerpts from Testimony on Dock Thefts", New York Times, December 5, 1952, p. 30

company policy is in the following report from the Crime Commission hearing:

At least one stevedore is known to have assured himself of a sufficient number of muscle men by pleading with state parole officials to release 200 men from prison so that they could go to work for him. Through collusion with union officials such men were provided with union books as soon as they were released.¹⁰

The underworld found another avenue by forcing their way in. Their first penetration came in the "public loading" area. This was a practice peculiar to the New York waterfront due to its congestion. Trucks would be forced to wait in line to pick up cargo from the docks and since a part of the oversupply of labor was always available, the trucking companies authorized their drivers to hire casual labor as it was needed. Some men began to specialize in this type loading, claiming monopoly rights to certain areas. These operators became independent contractors with a function similar to the stevedores, except that they confined themselves to loading trucks taking goods away from the pier, a service for which the steamship companies or stevedores had traditionally refused to accept responsibility. There was no regulation and their charges were what the traffic would bear. Bribes became common for service to trucks ahead of their turn. Frequently, the men in control of these lucrative "loading" concessions forced themselves into positions of power in the local union. They would then have control over the local's treasury as well as the power to order a strike on the pier if the steamship company or stevedore raised objections to any of their practices as public loaders. Evidence from one of the Crime Commission's hearings illustrate how neatly knit were situations like this. One organization, George Sellenthin, Incorporated, which did all the public loading on Staten Island, had gross receipts of close to two million dollars for the

10. Horne, George, "Cargoes on 52 Ships Move, New York Times, January 4, 1953, p. 1

years 1947 through 1951 and conducted a daily shape-up for jobs in its loading work. Its 31 stockholders were all ILA members.¹¹

As early as the 1920's, several murders were committed in gaining control of these concessions and other personal domains. Albert Anastasia of the notorious "Murder Incorporated", led the amalgamation of six locals without an election in 1937 only to be opposed by one Pete Panto who demanded regular meetings and elections. Panto suddenly disappeared until a year later when his body was found in a lime pit. District Attorney William O'Dwyer, in the course of the murder investigation, arrested several ILA officials and interrogated hundreds of longshoremen. He reported that gunmen had taken over the six locals, depleted their treasuries of hundreds of thousands of dollars and destroyed their books. Panto's murder was never solved, nor were convictions obtained for the other crimes described by O'Dwyer.¹² During the course of his investigation, O'Dwyer urged President Ryan to clean up these locals. Ryan gave his assurance that reforms would be carried out. Later, he admitted the same group under Albert Anastasia remained in control, but defended his inaction by asserting that he found "communist groups" in the locals that frustrated reorganization and made him fear for his life.¹³ The "communist group" refuge continues to be a frequent shelter for ILA officials when questioned about recalcitrant locals or wildcat strikes.

11. Larowe, Charles P., Shape-Up and Hiring Hall, Berkeley, Calif.: University of California Press, 1955, p. 21

12. Josephson, Matthew, "Red Skies Over the Waterfront", Colliers, October 5, 1946, p. 17

13. Freeman, Ira Henry, "Ryan Admits Threatening Pier Tie-Up", New York Times, January 31, 1953, p. 1

In 1943, these conditions began to receive the deserved national attention which had been neglected for too long. The Federal Government was concerning itself with the overall efficiency of the harbor as it related to the war effort with a Senate Subcommittee on War Mobilization. The report pointed up hiring practices and their implications in United States ports:

Labor is much more fully utilized on the West Coast than on the East Coast. There are three times as many longshoremen in New York than in San Francisco, while the tonnage handled in New York is nowhere near triple the San Francisco tonnage. Men (in New York) are hired each day by the traditional "shape-up" system, and their tenure is by the hour. There is no mechanism by which men who "shape" at one pier, but are not hired, are shifted to another pier. Thus there are "shortages" of men at some piers, while at others men are turned away. The shape-up system of hiring is wasteful and inefficient; it has been condemned for over 30 years; it should be tolerated no longer.

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In the same year, the union elected Ryan to the office of international president "for life". This appeared to seal the pattern of cordiality and mutual cooperation, already 24 years old, between the New York Shipping Association and ILA officialdom. But the disregard for the rank and file began to have serious implications in 1945, when Ryan announced negotiations of a "fine new contract" with the Shipping Association. By this time each new contract had come to be known as one in a series of "five-and-ten cent store" agreements, because with periodic regularity at the cessation of each contract, the new agreement would offer an increase of 5 or 10 cents an hour. The New York membership signified rejection of the Ryan-approved contract by a spontaneous walkout which lasted until the advances obtained were a much larger wage increase than their representatives had accepted. The same pattern followed in 1947 at the termin-

14. Larowe, Charles P., Shape-Up and Hiring Hall, Berkeley, California: University of California Press, 1955, p. 26

ation of the 1945 agreement. By 1948, the hierarchy began to be apprehensive of its memberships' demands as the date for renewal of the present contract approval. For the first time in the ILA's 32 years of collective bargaining in the port, a major strike was to be declared official. The final 1948 agreement had been renewed without incident until 1951, when the fourth major wildcat strike within six years occurred on the New York waterfront. The issue was the usual dime increase. The Federal Mediation and Conciliation Service set a precedent by agreeing to mediate an intra-union dispute. It was unsuccessful causing Governor Thomas Dewey to appoint a board of inquiry to study the immediate dispute and the New York State Crime Commission to investigate general waterfront conditions.

The Commission began quietly but efficiently interrogating union officials and employer, and subpoenaing company and union records and personal bank accounts. As soon as its public hearings began, it was apparent that this was to be the most thorough, if the most ruthlessly conducted, of a long series of investigations and exposes which had begun in 1914. In the two weeks of public hearings, witnesses described case after case of collusion between employers and union officials, bribery of steamship company agents by stevedores in order to gain contracts, exploitation of longshoremen by ILA officials, assault, organized theft, extortion, kickbacks, loan sharking, gambling, payroll padding and murder - all of which were shown to have an association with the shape-up. For the first time, the role of the employers and public officials in perpetuating the shape-up was made clear.¹⁵ The hearings crowded other news off the front pages

15. Ibid., p. 45

creating a public awareness which would not allow the waterfront to sink back into oblivion. However, the apathetic, fatalistic attitude among the rank and file, made wary by the failure of earlier investigations to bring reforms, is well illustrated by one longshoreman brave enough to give a response; "Half a dozen guys will probably go to jail....then the whole thing will be forgotten and things will be as bad as ever."¹⁶

The ultimate result was remedial legislation in the form of the Waterfront Commission Act which set up government-operated hiring halls and created a bistate agency endowed with extraordinary powers, including the authority to investigate and ban from the longshore industry not only men who seek work as longshoremen, foremen and supervisors, but also those who wish to operate stevedoring companies. Since the legislation involved the creation of a bistate agency, congressional approval was necessary, and the Congress moved to pass enabling legislation with almost unheard-of dispatch. The Senate acted on July 17, the House of Representatives on July 30, and by August 12, 1953, President Eisenhower had signed a bill into law which proscribed the shape-up.

Other salient features of this act were the following: "public loading" was abolished outright, power to levy assessments on employer's gross payrolls to meet expenses of operating the employment centers, thereby extending authorization to the Commission to examine their financial records and stringent licensing provisions for hiring foremen and the rank and file primarily designed to probe past and present criminal behavior.

Presently, 178 steamship companies and stevedores are represented by the New York Shipping Association. John Lyon, the Association's

16. "Excerpts from Crime Hearings", New York Times, January 30, 1953, p. 12

chairman and chief negotiator in the years before and during these investigations, retired in 1955. It is generally acknowledged a stronger man for this position has succeeded him in the person of Alexander Chopin. Chopin publicly admits the present existence of these "featherbedding" practices and has openly encouraged the employers to stop them, an overture not heard of with Lyon.¹⁷

During the crime hearings, George Meany, the president of the AFL, was called to testify and surprised all concerned by his agreement with need of these investigations. After the hearings in 1953, the AFL then made the unprecedented threat to expel the ILA if it did not institute sweeping reforms. One of the cardinal principles in the philosophy of the AFL has been that international unions making up the federation should be autonomous, and the AFL has always maintained a hands-off policy with respect to its affiliates. In the history of the federation, this was the first expulsion threat based on a criticism of an affiliate's internal affairs. The basic requirement for the ILA to stay within its parent organization was to remove all officials with criminal records and those guilty of accepting bribes from employers. The dock union's executive council voted to abandon the AFL plan which practically ensured its expulsion. The union was discharged at the seventy-second AFL convention in September 1953. Ryan, pleading at this convention against the expulsion of his union and the chartering of a new one, somewhat understated ensuing events when he said; "This is going to cause confusion."¹⁸ The AFL had gone

17. "Mr. Fixit on the Waterfront", Fortune, December, 1956, p. 227

18. "Developments in Industrial Relations", Monthly Labor Review, October 10, 1953, p. 1099

the CIO one better when they expelled the ILWU, and had created their own longshoremen's union, the International Brotherhood of Longshoremen.

The development of this present AFL-CIO affiliate has caused extensive inter-union complications. The lines have been drawn between competing unions primarily on the jurisdictional issue precipitated by the IBL on the docks.

Beck's Teamsters had been interested in the IBL since their creation until the NLRB representation elections for the present dispute. When the ILA won these elections the IBT turned around and offered a \$400,000 loan to the ILA for which the union was to become a semi-autonomous branch of the Teamsters, thus returning to the AFL-CIO, via a Teamster umbrella. This was too much for Meany who publicly warned the IBT it would be expelled if it gave the ILA a home -- since the AFL-CIO constitution does not allow its member organizations to aid or affiliate with those expelled for any reason.

During the IBL rise, it got enthusiastic support and money from Paul Hall, head of AFL's merchant mariner branch, the Seafarer's International Union. These two unions have been openly paired against the ILA and Joseph Curran's National Maritime Union, the organization that has the big passenger lines as its principal jurisdiction. Clearly, Curran feared the rise of Paul Hall, whose SIU represents merchant seaman primarily on freight lines. Understandably, his fear was a longshore union in the Port of New York which would be indebted to Hall and give him a dockside entree to NMU ships.

Harry Bridges' ILWU has continued to support the ILA. His organization has been unchallenged in the Pacific ports and naturally wants no new and vigorous union to develop on the Atlantic and Gulf lest its

own domination be threatened. However, this is one source from which the IIA wants no association or financial assistance. Bridges' communist taint and personal wishes for ILWU expansion are sufficient to repel any IIA acceptance.

John L. Lewis and his United Mine Workers has also become involved, as it is known he is a bitter enemy of George Meany. He loaned the union \$200,000 in 1953 with instruction to clean it up. Either in response to urging from John L. Lewis or to impress the rank and file, Ryan retired in November, 1953, a month after the IIA's expulsion. He was retired with the title "president emeritus" and a pension of \$10,000 a year. Captain William V. Bradley, a tugboat captain and president of a New York tugboat local, succeeded him.¹⁹

The same year saw the advent of the IBL on the docks as a formidable competitor with over \$1,000,000 financial assistance from the AFL. An NLRB representation vote was very close, 9407 to 9144, but the senior organization emerged victorious. Why they did win is only a question of conjecture. Some critics say the new organization was too hastily established giving poorly organized use of the financial contributions.

Confident of an easy victory, the new union put little of its campaign's fund into organizational techniques such as mass rallies, questionnaires on grievances, leaflets and newspaper ads which had been perfected in the 1930's for appealing to large groups of workers. Instead, the AFL tried to reach longshoremen in local pier areas.

19. "Developments in Industrial Relations", Monthly Labor Review, December, 1953, p. 1215

Some of these organizers were highly effective campaigners for the AFL - men who emerged from the rank and file like John Dwyer in Manhattan and Tony Mike De Vincenzo in Hoboken, for example - but no indigenous leader appeared who was capable of rallying followers in all sections of the port.²⁰

However, it seems reasonable that another view is a closer approach to the defeat in the realistic climate of the waterfront. Overzealous support given the IBL by governmental agencies, particularly the state of New York and its Port Authority undoubtedly alienated many longshoremen. Presently, the workers are still wary of a governmental unit which requires their registration and licensing for the right to work.

A few weeks prior to the representation election, the union called a strike which necessitated the Eisenhower Administration's first use of the emergency provisions of the Taft-Hartley Act.²¹

The IBL maintained a threadbare existence after its defeat. Meany became disillusioned by the loss and cut off his financial aid. Hall's Seafarer's International Union became conspicuous as its sole active supporter. Nevertheless, the union held on and its presence in the latter part of 1956 caused the lines of opposing union camps to be drawn again. Naturally, the IBL was pointing for the representation elections which would be held again, at the termination of the present ILA contract, if that union were opposed.

In this setting, the ILA presented the Shipping Association

20. Larowe, Charles P., Shape-Up and Hiring Hall, Berkeley, Calif.: University of California Press, 1955, p. 207

21. "Is the White House Shifting It's Labor Policy?", Business Week, October 10, 1953, p. 164

the strongest demands yet --- showing a need to deliver the best possible package to the longshoremen if it were to continue its jurisdiction. Before the representation elections held by the NLRB, the ILA wisely made known its demands for the new agreement which was to replace the old one in October, 1956. They won again, this time by a larger margin. These demands which put the union way out on a bargaining limb, were undoubtedly a very effective method of turning rank and file IBL support toward ILA.

The result of these demands is seen in eight issues of the current dispute. The most crucial of these was the union's unrelenting requirement for a coastwide contract to solidify its hold on union memberships scattered along the Atlantic and Gulf Coasts --- a most effective way of freezing out the IBL. The New York Shipping Association justifiably contended it couldn't sign such an agreement because it has no jurisdiction over ports outside of New York and lacked authority to bargain even for those member shipping lines that also operate in the other ports and have contracts with the ILA. Wages, length of contract, limitations of slingloads, size of work gangs, eight hour work guarantees, paid holidays and an employer-financed clinic were other issues.²²

The impasse continued and on November 15, 1956, approximately 60,000 walked out from Maine to Texas immediately idling 150 ships. For once, there was no reason to doubt the ILA's sincerity or that everything was above board.

The walkout ended after nine days when President Eisenhower

22. "Dock Strike Draws Warning", Business Week, November 24, 1956, p. 148

invoked the national emergency strike injunction. It was the third use of this provision by the Eisenhower Administration and its second such action for the ILA. The other time it was employed by the present administration with the Atomic Energy Commission workers at Oak Ridge, Tennessee and Paducah, Kentucky. It was the thirteenth use of the Taft-Hartley Act since 1947.

The statute is justified only when it is limited to disputes which "affect an entire industry or a substantial part thereof" and those that "imperil the national health or safety". The White House justified its use because of the tense international situation. At the same time, the NLRB got a Taft-Hartley unfair labor practice temporary restraining order against the ILA insistence on a coastwide contract.²³

The injunction became a "face-saving" device for the union. It sent the men back to work from a strike whose main issue was irreconcilable.

The President set up a three man fact-finding board composed of Thomas W. Holland, Chairman, Arthur Stark and Joseph J. Blair. As soon as they submitted their report of the main issue preventing signature of the new agreement, the Attorney General was instructed to begin the eighty day injunction proceedings in the New York Federal district court.²⁴ There was not a negotiated settlement during the "cooling-off" period. Therefore, the fact-finders reported back to the President in 60 days, submitting the employers' last firm offer of settlement

23. "World Pinch in Ships Puts Taft-Hartley on Docks", Business Week, December 1, 1956, p. 155

24. "Developments in Industrial Relations", Monthly Labor Review, January, 1957, p. 79

terms. The NLRB held the secret election on the proposed terms and they were turned down by the longshoremen, as per ILA instructions. There was no settlement by the 80th day and the injunction was dissolved.

On February 13, 1957, the union again walked out at the end of the 80 day period — despite the concerted effort of Joseph Finnegan, Federal Mediation and Conciliation Service Director, which was the fourth time a national emergency strike outlasted the injunction. Meanwhile, the ILA had executed a simple strategem of bargaining. The South Atlantic and Gulf longshoremen had reached separate agreements in their outports. They had signed a three year agreement with local shippers providing for a package increase of thirty-one cents — more than the contract demands of New York, thereby forcing New York to meet these demands. Moreover, this was a simple escape route from the coastwide bargaining issue which was primarily responsible for the impasse of the strike.²⁵

In the last week of February 1957, they returned to work with a three-year agreement, calling for total pay raises of thirty-two cents an hour — 18 cents the first year, and 7 cents each for the next two. The contract recognizes five paid holidays, an additional five cents to the welfare fund for a fourteen cent total and a third week of vacation for qualified workers. Provisions for ~~slingshead~~ restrictions and an eight-hour daily guarantee were not granted.²⁶ For the first time, the agreement calls for a check-off of dues to be paid to ILA headquarters rather than the local unions as has been the custom.

25. Mantrop, Stanley, "South, Gulf Pier Pacts Signed", Journal of Commerce, January 31, 1957, p. 1

26. "What's New in Collective Bargaining Negotiations and Contracts", Bureau National Affairs, March 8, 1957, p. 2

This should give the international greater control over the locals to rid itself of questionable financial practices by local bosses.

The influence of local leaders and their individual demands causing a lack of ILA unity was well illustrated during these negotiations. President Bradley publicly denounced some of the members of the union's negotiating committee, for lack of good faith at the bargaining table. He was referring to local issues advanced by certain members of his New York Locals whom he didn't identify. Certain Manhattan locals were ~~also~~ in their continuing requirements for a one-ton slingload and for inclusion of other benefits not in the list of proposals given both sides as a basis of settlement by Federal Mediators. 27

Since this recent agreement was signed, unauthorized walkouts have occurred on several piers. If the strong local leaders are allowed to continue this defiance of contractual agreement, the rank and file will continue to be divorced from the leadership and objectives of national headquarters.

It is regrettable that George Meany couldn't see beyond the 1953 election, discard his disillusionment, and continue to provide financial support to the IBL. Passive support from such a key man, after a million dollars worth of previous assistance, became a caveat with onlookers and rank and file. The union was wiser after its 1953 defeat and undoubtedly could have made better, more experienced use of such funds in 1956.

27. "Capt. Bradley Lashes Out", Journal of Commerce, February 14, 1957, p. 1

Since the recent setback, however, Meany has re-formed his 1953 position. He has again declared to go "all-out" in IBL support. The extent of any financial assistance remains to be seen. If it is a considerable amount, as initially enjoyed, the new union can again become a formidable opponent.

However, the waterfront should not expect peace if the IBL rises to prominence. The ILA is bound to follow its pattern of unreasonable demands whenever its jurisdiction is threatened -- the most effective expedient to sell the status quo and satisfy the rank and file.

The Waterfront Commission has continued its efforts to make steadier work for full-time men. It is presently extending a 1955 plan to bar from dock jobs 15,000 part-time longshoremen. The effect of an oversupply of labor was well expressed by Samuel M. Lane, executive director of the Commission, "Such an imbalance (40,000 longshoremen registered for 15,000 to 20,000 jobs) breeds crime, kickbacks and corruption and leaves many honest men with empty pockets."²⁸ However, there is as much room for governmental improvement as there is for the other components of the waterfront picture. The thirteen state-operated hiring halls still resemble a modified shape-up under the watchful recognition of commission officials. Under the commission rules, regular gangs report directly to the pier and the hiring foreman goes to the hiring hall to pick extra men. Sections of the hall are designated according to job classification and the foreman makes up a gang or picks replacements by going from one shape-up of casual labor to the next. In effect, the present system has come

28. "Crackdown on Casual Workers", Business Week, January 15, 1955, p. 150

to be regarded as a "shape-up with a roof over it."²⁹ This is simply another defect which points up the unique nature of long-shoring which makes it impossible for the men to have decent working conditions unless the employers accept some sort of priority system of hiring, whether it be seniority or rotation.

Once a responsible union and a responsible employers' association evolve and reach agreement on this principle, the next step will be to begin retiring the government from the industry.

The ILA will have reached this mature position when it complies with Meany's 1953 orders to rid itself of criminal elements and their practices if it desired affiliation with the AFL. More recently, his edict was repeated through the Maritime Trades Department of the AFL-CIO. The ILA has held recent conferences with the AFL-CIO MTD and has been instructed that it will not be considered for acceptance to the parent AFL-CIO until "it perfects its organizational structure so that it will be completely democratic in nature."³⁰ Precisely, Meany is pointing at a small group of union officials who were exposed in the Crime Commission hearings of 1951 and are still in strong positions of leadership. He has never identified the group by name, but rather, desires the ILA to take the first action, then he will examine the results and those left in official positions. The following are generally acknowledged to a definite segment of this group.

29. Larrowe, Charles P., Shape-Up and Hiring Hall, Berkeley, Calif.; University of California Press, 1955, p. 217

30. Mantrop, Stanley, "ILA Moves to End Strife on Waterfront", Journal of Commerce, January 24, 1957, p. 1

Patrick Connolly, present Executive Vice President, who testified before the Crime Board he had comingled union money with his personal bank account when Financial-Secretary of ILA Local 825. Moreover, as a Financial Secretary, he couldn't produce books or evidence to show just how much money belonging to the union was in his possession. The crime hearings showed that Thomas Gleason, presently an organizer, had received \$81,225 in a five year period, from various positions held in the ILA. Alex Di Brizzi, present leader of the Staten Island ILA Locals, was arrested fifteen times and convicted three times. Joseph Schultz, presently an ILA organizer in Manhattan, has pleaded guilty to evading income taxes (\$13,780) when his salary on the ILA books is \$75.00 per week.

President Larry Long of the IBL has recommended to the AFL-CIO executive council that the ILA be invited back into the labor movement, provided it would remove a group of ten officials, part of which are the above cited men.³¹

Since these men are in positions of administration and policy-making, it is improbable that the ILA, guided by these individuals, will take steps to rid itself of this disputed element whose illegal practices have been exposed. Observers of this situation seem to agree that there are too many too high up that would be implicated.

The employers have come a long way if their negotiator, Alexander Chopin, expresses their intent. He is openly aware of existing "featherbedding" among the stevedores and shipping lines and is the first to call attention to these shortcomings.³² His refreshing

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31. "President Long Offers Plan to Unify 100,000 Longshoremen," The IBL Reporter, July, 1956, p.1
32. "Mr. Fixit on the Waterfront," Fortune, December, 1956, p. 227

candor is a step in the right direction. It signifies an awareness and desire among the great majority of employers to reach a solid basis of continued cooperation.

The salvation for the rank and file longshoremen lies in a new union. It is this writer's opinion that a renovation of the existing IILA will not be adequate because any internal reform will not be administered by an impartial outside agency but by the union's own officials.

Public awareness of the union's conditions has already waned. The workers' attention will be next to sink into its accustomed apathy. It will be up to the IBL, with active guidance and support of George Meany, to arouse the workers beyond 1953 heights— when the new union had money without organization. In 1956 it had a small but willing organization without money. If AFL-CIO assistance provides it with both of these through 1957 and 1958, it would then have a true, and most likely successful, test of its worthiness to represent New York longshoremen in 1959.

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