

UNIONISM AMONG PROFESSIONALS //

by

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Dear Professor Ross:

This assigned topic entitled "Unionism Among Professionals", is submitted as required for Business Administration Course No. 256.

Though there is overwhelming evidence that professional occupations are swelling their numbers, it is quite a problem to assign numbers. Like many other terms in economics - wages, productivity, fringes - professional union membership is a "more or less" statistic.

Yours respectfully,

Leif Gyorkand

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UNIONISM AMONG PROFESSIONALS

I Introduction

"The American people have never been so dependent upon professional advice and services as they are today...our way of life and our very existence depend as never before upon the quantity and quality of professional workers."¹

"This nation's economic and social well-being and its continued progress depend to a striking degree upon a small group of men and women who work in scientific and professional fields."²

The justification for unionism has usually been expressed in terms of the "poor down-trodden worker" whose lack of skill and education were being exploited by the employers. Unions have continually demanded wage increases, which at times have caused inflation or possibly an increase in real earnings, but certainly they have forced a more rapid rate of technical innovation than might otherwise have occurred. The increasing productivity reflected in the growing GNP and

1. Myron Lieberman, Education as a Profession, Englewood Cliffs, New Jersey: Prentice Hall Inc., 1956, p7.

2. National Manpower Council, A Policy for Scientific and Professional Manpower, New York: Columbia University Press, 1953, p. 7.

higher living standards have undoubtedly benefitted the nation. But in the process, many traditional union occupations have been replaced by machines, while creating new occupations and opportunities in areas where unions have been conspicuous by their absence. It remains to be seen whether the union movement will succeed in these new fields or succumb to stagnation.

II What is a Profession?

The topic poses some problems in semantics which are relevant to a latter portion of this paper where statistics are used. Few people would have much difficulty in deciding that doctors, lawyers or dentists are professionals. Some might hesitate when it comes to teachers. For example electricians are not regarded by most people as professionals. Would a teacher of electricity be classified as a professional? Obviously there is no clearly defined area as to what constitutes a profession. There are nevertheless, a few yardsticks which can be used.

1. Public Notion of a Profession

In days gone by, astrologers, medicine men and religious leaders were given the respect and importance, which the professions now enjoy. But recognition as a profession is:

"Largely the result of the special efforts of an occupational group to set themselves apart from the others, to establish standards of training and practice, to regulate the conduct of their members, and to advance their knowledge."³

2. Definition by Qualification

There was considerable opposition to the Wagner Act for not separating professional from non-professional workers in different bargaining units. The American Society of Civil Engineers (ASCE) sought support from other organizations for the proposal to define professions by qualifications.⁴ This was rejected in favor of a functional definition. It is presumed that the main reason for rejection, was that this approximates a secondary boycott. For example if all civil engineers in the U.S. (by qualification) went on strike because of a dispute in say, Berkeley, then the area of the dispute would be enlarged and the harm to innocent third parties could be severe.

3. Definition by Function

The Taft-Hartley Act sought to dispel the earlier misgivings by defining professional work. These definitions may all be helpful, but they are of slight

3. Myron Lieberman, Op. cit., pp. 38-39.

4. Herbert R. Northrup, "Collective Bargaining by Professional Societies", reprinted from Insights Into Labor Issues, ed. R. A. Lester and Joseph Shister, New York: MacMillan, 1948, p. 148-9.

use in measuring trends or growth in members. The U.S. Bureau of the Census also uses a functional definition - one who: "performs advisory, administrative or research work...or work which requires for its performance an acquaintance...gained through academic study or through extensive practical experience, one or both."⁵

To the layman, the best definition is probably that used by the International Labor Organization:

"A professional worker is one who owes his livelihood to work in which the effort of mind, involving both initiative and personality, is usually greater than the physical effort."

Clearly then, though the census figures are quite consistent, they may include occupations among the professions to which many people might object. Rather than seek a precise term that will be acceptable to all, the census figures are used, bearing in mind the looseness of the term "professional".

With the march of civilization, has the number of professional workers increased?

III Professional Growth

Possibly the most startling characteristic of the labor force, is the explosive growth of non-manual

5. U.S. Department of Commerce, Bureau of the Census, Alphabetical Index of Occupations and Industries, Sixteenth Census of the United States. Washington: U.S. Government Printing Office 1940, p.3.

workers. Among them professional workers are becoming prominent. This is evident in the United States as well as in other countries. The implications for unionism in the U.S. are of considerable importance.

1. International Increase

a) England

"The two most striking facts brought out by the census (1951), are the increased number of professional and technical workers; and the monstrous growth of clerks and typists."⁶

See also Appendix, Table 1, for changes in occupational groups.

b) Sweden

In 1920 salaried employees comprised 11 percent of employed workers, in 1945 salaried employees comprised 23.6 percent of employed workers.

c) France

In 1931 salaried employees comprised 12.3 percent of employed workers, in 1946 salaried employees comprised 17.9 percent of employed workers.⁷

6. The Economist, 19 July 1952, pp. 146-147.

7. Data for Sweden and France: International Labor Organization, Advisory Committee on Salaried Employees and Professional Workers, Report I, Second Session, Geneva 1952, p. 16.

In most industrialized countries, non-manual workers comprise at least 30 percent and:

"Their members seem, in general, to be increasing faster than those of manual workers."⁸

But there will continue to be a shortage of professional and clerical workers because the number

"is not growing as fast as the total economy."⁹

d) India

But in many of the underdeveloped countries, there is a surplus of clerical workers, and a chronic shortage of technicians and engineers. In India for example, white collar workers form the majority of the registered unemployed.¹⁰

2. U. S. Increase

In 1890 there was 1 professional in 300 persons of the population. In 1949 there was 1 professional in 75 persons of the population. This latter figure represents about 30 percent of the employed labor force.¹¹

"Since 1900, the number of men and women who work in the sciences and professions has been growing almost twice as fast as our total population."¹²

8. Ibid., p. 17.

9. Nation's Business, December 1955, p. 64.

10. For a discussion of this subject, the British influence on the status of the Civil Service, and low salary and status of technicians and engineers, see: Ornati, Oscar A., Jobs and Workers in India, Ithaca, New York: Cornell University, Institute of International, Industrial and Labor Relations, 1955, p. 44.

11. International Labor Organization, op. cit., p. 44.

U. S. Increases:	1910	1940	1950	1965 ¹³
Occupations	Percentage changes			
Clerical and Kindred Workers	5.5	9.7	12.3	14.4
Sales Workers	5.0	6.8	7.0	6.5
Professional, Technical and Kindred Workers	4.6	7.9	8.7	11.3
Managers, Officials, Proprietors (except farm)	7.2	8.1	8.9	10.3
	22.3	32.5	36.9	42.6
Craftsmen, Foreman and Kindred	11.7	11.5	13.8	13.5
Operatives and Kindred Workers	14.1	18.9	21.1	19.6
Laborers	25.0	13.9	10.4	5.0
Service (waiters, cooks, barbers)	9.6	11.8	10.1	11.8
Farmers and Farm Managers	17.3	11.4	7.7	7.6
	100.0	100.0	100.0	100.0

A cursory glance at the table reveals the increasing acceleration among clerical, professional and technical employees, whereas all the traditional union occupations

12. National Manpower Council, op. cit., p. 8.

13. Source of 1910, 1940, 1950 data: "Occupational and Industrial Distribution of Employment, 1910-1950", by Gladys L. Palmer and Ann R. Miller, in Manpower in the United States; Problems and Policies, William Haber et al, Editors, Chapter VI, Table VI-1, 1954, p. 87.

14. Source of 1965 data: Projections by the Bureau of Labor Statistics in "The Shifting Industrial and Occupational Composition of the Work Force During the Next Ten Years", by Ewan Clague, presented at the American Federation of Labor and Congress of Industrial Organizations, Conference held January 16, 1958, on: The changing character of American Industry, Publication No. 67, Table 6, p. 20, Washington: 1958.

show declines except the services.

3. Labor Force Composition

	1955	1965	change
In Millions Total Population ¹⁵	165	190	+25
Total 14 and over (labor force only) ¹⁶	68.9	79.4	+10.5
Total 14 and over male	48	52.9	+ 4.9
Total 14 and over female	20.9	26.5	+ 5.6

Women have traditionally resisted unionism.

When the labor force grows, women will have to find new jobs probably in the professional field. It will become more difficult with more females to organize professionals.

Of the male labor force increase, the backbone - 25-54 years - will increase by only 1.2 million, whereas 1.0 million will be 55 and over. The largest increase is among the 14-19 bracket - 1.6 million. This young age group apart from having less concern for security, has a large portion of part-time workers.

The women and young men are going to pose severe obstacles because of their high turnover rate and opposition to unions.

4. Professional Characteristics

15. Ibid., p. 3.

16. Ibid., Table 1, p. 4.

<u>Education</u>	<u>Population</u>	<u>Professionals</u> ¹⁷
Men	9.7 yrs.	16+ yrs.
Women	11.8 yrs.	15.4

If professionals require additional education, has there been an increase in the level of education in the U. S. to meet the need for professionals?

"Nowadays, about 60% of the population 17 years of age completes high school; in 1930 less than 30% completed secondary school..."

"In 1920, only 8% of the population 18-21 years of age was enrolled in institutions of higher education, whereas in 1955 about 33% of this age group was enrolled."¹⁸

There have been great changes in the professions. In 1900 almost 50% of all professional men were in law, medicine, dentistry, or the ministry. Today this figure is only 8%. And where education and especially business professions were unknown, today there are more professionals in these fields than any others.¹⁹

Summary:

Professions are on the increase, and the traditional occupational sources of union members are declining.

17. Source U.S. Department of Commerce, Bureau of the Census, 1950 Population Census, Occupational Characteristics, Special Report P-E No. 1B, Table 10, pp. 18-107.

18. Ewan Clague, op. cit., pp. 21-22.

19. Dale Wolfe, America's Resources of Specialized Talent, Commission on Human Resources and Advanced Training, New York: Harper & Brothers, 1954, p. 24.

If unions are to continue to grow they must make inroads into the professions. Young men (14-19 years) and older women (45-64 years) will comprise the largest addition to the labor force in the next decade. This will be an obstacle to unionization. The professions will grow, since college graduates have multiplied 4 times in 35 years. The following statement indicates the concern of union leaders.

"During the next ten years the labor force will consist of a steadily increasing proportion of workers who have had little, if any, experience with unionism...whose jobs will largely be those in which unions have generally not been accepted. ... (Hence) unions are likely to encounter a far greater proportion of workers who are apathetic or hostile to unionism."²⁰

The professions too are in a quandary.

"The dilemma confronting almost every profession is whether its members shall concentrate on "Strictly Professional" work and lose their power to direct it, or learn administration so as to be able to remain in control of it, thus losing the time to practise it."²¹

What inroads have been made into the professions? Are professional unions aggressive and growing, or do they tend to be academic societies with a stagnant membership? For a comparison of membership in professional unions see Appendix Table II.

20. Ewan Clague, op. cit., p. 25.

21. Roy Lewis and Angus Maude, Professional Persons in England, Cambridge: Harvard University Press 1953, p. 7.

IV Need for Professional Unions

The depression was the first historical factor which urged the unionization of professionals. Academic societies refused to discuss the pressing problems, since they were often dominated by managerial personnel. The American Society of Civil Engineers (ASCE) was one of the first and only, that tried to do something, by establishing committees on economic conditions. One study estimates that about one third of all engineers were unemployed for some time between 1929 - 34.²²

Professional workers have lost status since becoming salaried employees, where formerly they were consultants. To-day less than five percent of all professionals are in independent practice.²³ Industrialization and division of labor have further changed the character of professions, many of whose jobs are now performed by technicians.

A typical example of this is found in the armed forces, where a physical examination is conducted mainly by several technicians, each performing one specialized job or function.

22. Andrew Fraser Jr., and A.F. Hinrichs, "Employment and Earnings in the Engineering Profession, 1929-34", in Bureau of Labor Statistics, Bulletin No. 682, p. ix.

23. Herbert R. Northrup, Unionization of Professional Engineers and Chemists, Industrial Relations Counselors Inc., Monograph No. 12, New York: 1946 p.3.

This has blurred the distinction between professionals and technicians, and in some fields has threatened security. Professionals are being treated more and more, just as any other employee. In place of production line work in the factory, we now find "production lines" of architects, draftsmen, engineers, accountants, etc. Where this situation exists, there are fewer people who move up into management ranks. Sometimes the choice is between managerial, administrative work which may be distasteful, or remain in his rank and file professional job.

During the war there was a tremendous upsurge in the need for scientific personnel. This has continued unabated in the cold war period, and with the increasing interest in research. As a consequence, some of the large firms e.g. Boeing Aircraft Company have more than 5000 engineers, or in many cases, one engineer for five production workers, where until recently the ratio was closer to one in fifty.²⁴ It is probably safe to assume that the greater the number of persons performing related work under the same conditions, the greater is the motivation towards unionization - see Appendix, Table III, obeying a rule of minimal differentiation.

The new college graduate is often disappointed by the job, having had dreams of the prestige or status

24. Steel, Aug. 22, 1955 p. 36.

of a profession only to find himself in an assembly line situation. This has aroused his dissatisfaction as is evidenced by a study "filled in" by 1145 engineers employed in manufacturing in the eastern states.²⁵ The following are some results.

- 1 out of 5 - looking for better jobs.
- 1 out of 4 - felt his responsibility to the company ended at quitting time.
- 1 out of 2 - stated they were seldom informed on company matters that were of interest.
- 3 out of 4 - felt that 30 percent or more of their work was routine, and could be handled by technicians.

Despite these dissatisfactions, the majority are opposed to unionism. For example 73 percent of the members of the American Chemical Society were opposed to unions while only 6 percent were in favor.²⁶

Another poll of 64,000 members of engineering societies revealed that 72 percent oppose collective bargaining, and 66 percent believe that it is incompatible

25. W. E. Fisher, "Collective Bargaining for Engineers", an address presented under the auspices of the Industrial Relations Section, California Institute of Technology, Feb. 20, 1946.

26. Chemical and Engineering News, Vol. XXV, Feb. 17, 1947.

with professional status.²⁷ Why is this opposition so widespread? It has been said that the trouble with engineers is that they fancy themselves as professional men when they are just hired help.²⁸

A final complaint is that research workers are unable to publish the results of their research, because of secrecy.

V Objections to Unionization

Unions are repugnant to most professional people. Due to the extreme opposition which unions faced initially, and the violence which followed, the links with gangsters and racketeers, the image of unions in the minds of many people is not very wholesome. Professional workers tend to be impressed more by intellectual persuasion, than by emotional appeals.

Collective action is regarded as being unprofessional. It is difficult to discover the basis of this assertion, since every profession has an organization of some sort. Some of the traditional professional organizations are the strongest there are, and powerful lobbyists. Others object to the destruction of individualism.

27. "What About Unions?", Chemical and Engineering News, Vol. XXXIII, No. 6. February 7, 1955, p. 536.

28. Attributed to Matthew Woll, Vice-President AFL, quoted in Steel, op. cit., p. 35.

Collective Bargaining is opposed by a large number of professional societies,²⁹ a large number being dominated by managerial personnel. In many cases unions are rejected on ethical grounds.³⁰

When the Wagner Act was passed, professionals were almost unanimous in their criticism of inclusion within the same unit as production workers, but their complaints were not borne out by experience.

Perhaps the most important single reason for opposition, is the professional identification with management. To join forces with union aspirations might be indicative of a loss of faith in management. In a survey by the National Society of Professional Engineers, of 1300 engineers in more than 200 companies in all fields revealed that 40 percent of all industrial executives are engineers, and that 66 percent of all engineers polled, oppose collective bargaining.³¹

Clearly a large number of professionals regard themselves as potentials for managerial positions, especially the more senior employees, whereas juniors hope faster promotions without seniority rules, will result.

29. See Electrical Engineering, October 1946, p.445. Engineering News-Record, November 18, 1937, p. 835. Civil Engineering, Vol.8, March 1938, pp. 216 - 217.

30. Chemical and Metallurgical Engineering, Vol. 51, August 1944, pp. 96-99.

31. Steel, op. cit., p. 37.

VI History of Professional Unions

1. Affiliated Unions

In 1896 the American Federation of Musicians (AFL) received its charter, with 4000 members. It was recognized that growth of the union depended on control of the new devices such as radio, recordings and tape. In order to gain control, the musicians assisted in the organization of recording technicians, hotel and theater employees etc. The impact of Petrillo in the entertainment field has been considerable.³²

Why have the musicians been so successful when other affiliated professions have only a small membership? One of the main reasons is that:

"The musicians have been fortunate in their leadership, for able and untiring men have always headed the organization. In more than half a century of existence, the destiny of the AFM has been largely in the hands of three men. But all three have been skilled politicians..."³³

Teachers unions date back to the turn of the century when the San Antonio (Texas) Public School Teacher's Association joined the AFL in 1902. Some 20 locals had affiliated by 1916, most of which were shortlived, but in this year the American Federation of Teachers was chartered as a national institution.

32. Leiter, Robert D., The Musicians and Petrillo, New York: Bookman Associates Inc., 1953.

33. Ibid., p. 19.

The depression, favorable union atmosphere since the Wagner Act, prolific growth of other unions and postwar inflation have all been inducements to unionization. But nevertheless, membership is still low. Of over a million teachers, only about 50,000 were members in 1951.³⁴

In 1918 the International Federation of Technical Engineers, Architects, and Draftsmen's Union (IFTEADU) was organized and affiliated with the AFL.³⁵ The membership consisted largely of subprofessionals and technicians, where production workers had already been organized. To begin with interest was high then dwindled until the depression. World War II helped to boost the membership up to 12,000.³⁶

In 1933 the Federation of Architects, Engineers, Chemists, and Technicians (FAECT) was formed and affiliated with the CIO in 1937 with 6,000 members.³⁷ In 1946 they merged with the United Office and Professional Workers of America (CIO). The UOPWA was known to have Communistic tendencies. The war had helped to boost

34. Bernard Yabroff and Lily Mary David, "Collective Bargaining and Work Stoppages Involving Teachers," Reprinted with additional data from the Monthly Labor Review May 1953, U.S. Bureau of Labor Statistics.

35. Florence Peterson, Handbook of Labor Unions, Washington: American Council on Public Affairs, 1944, p. 24.

36. Bernard Goldstein, "Unions and the Professional Employee," Chicago: University of Chicago, Industrial Relations Center, Research Reprint Series No. 52.

37. Engineering News-Record, October 14, 1937, p. 618.

membership to 8,500, but shortly thereafter it declined and then died.

The UAW also had professional affiliates. In 1935 the Society of Designing Engineers was formed in Chrysler plants. It was affiliated with the FAECT in 1938 but withdrew joining the UAW in 1944.³⁸ The professional employees are placed in Local 412, of the UAW-CIO Skilled Trades Division which coordinates the activities of skilled and professional workers. Contracts cover employees in Toledo, Flint, Pontiac, and Detroit.

Other unions which professional affiliates are: United Electrical, Radio and Machine Workers of America; United Steelworkers of America; District 50 of the United Mineworkers of America; Industrial Union of Marine and Shipbuilding Workers of America.

2. Independent Unions

These are neither affiliated nor sponsored by a professional society. They are not too important in numbers or influence. One which has had a good deal of success is the Engineers and Architects Association of Southern California, founded in 1894.

It was started as a technical society but became a branch of the Engineers and ^{Architects} Association whose membership in 1946 was 3,000.

38. Herbert R. Northrup, op. cit., p. 11.

Some of the members became interested in unionization in 1943 and formed the Associated Engineers and Technicians, attempted to win bargaining right at Lockheed Aircraft Corporation. The EAASC intervened before the NLRB in support of the AET. This move was contested by the IFTEADU. The NLRB dismissed the petition of the EAASC, on the grounds that the unit was inappropriate. The AET then affiliated with the IFTEADU.

As a result, the EAASC then formed its own collective bargaining organization, and in an NLRB election won bargaining rights at Lockheed. Subsequently these were also secured at Hughes Aircraft Company and other smaller companies - Consolidated Vultee Aircraft Corporation, San Diego, California State Highway Department and the City of Los Angeles.³⁹

Although it is independent, the EAASC has on occasion taken joint action with the other affiliated unions. Its success is probably due to its aggressiveness in demanding increases in line with unions and industries. A summary of independent activities is found in the Appendix of Northrup.

3. Professional Societies

The American Association of Engineers was formed in 1915, but has never recovered from a serious membership loss after winning a wage increase from the government

39. Ibid., p. 12.

appointed wage board. This poses the question of union security for voluntary professional societies.

The main issue among professionals, under the Wagner Act, is the inclusion of professionals with non-professionals within the same unit. The National Society of Professional Engineers, formed in 1934, urged amendment to this law, stressing the professional aspect.⁴⁰

One of the landmarks of professional unionism occurred in the Shell Development Company Inc., Emeryville, California, in 1941. The FAECT sought bargaining rights for both the 201 professional, and the 205 non-professional employees within the same unit.

The American Chemical Society intervened in the NLRB proceedings, supplying counsel to the chemists, engineers and physicists employed at Shell. Its request for separate representation was approved by the NLRB. The non-professionals then joined the FAECT, while the professionals formed the Association of Industrial Scientists.

Thereupon the AIS petitioned for an NLRB election. Now the FAECT intervened, charging that the association was company dominated. This was dismissed by the Los Angeles regional director. It was then appealed to the NLRB for review of the regional decision.

Because of the confusion generated, the ACS requested its counsel to inform members of the result. Since the parent organization included both employers and workers,

40. See New York Times, October 10, 1937, p. 17.

it could not act as bargaining agent under Taft-Hartley, Section 8 (a) (2). Thus three choices were open.

- a) Accept the union.
- b) Vote against the union in the NLRB election.
- c) Form a professional union, to bargain for them.

(This third option was recommended.)⁴¹

Many societies then followed suit - the Professional Scientists of Industry (at Westvaco Chlorine Products Corp., Newark, Calif.); the Association of Professional Chemists (Detroit); the Niagara-Du Pont Professional Association (Niagara Falls, N.Y.)

In 1943 when unionization was a controversial issue, the American Society of Mechanical Engineers, American Institute of Electrical Engineers, American Institute of Chemical Engineers and the Institute of Mining and Metallurgical Engineers approved a joint study of the problem with the American Society of Civil Engineers (ASCE). The policies they adopted, reflect the results obtained.

The ASCE became interested in collective bargaining, and in 1943 recommended that bargaining units be formed.⁴²

Even though their justification was to prevent the

41. "Collective Bargaining for Professional Employees," American Chemical Society, January 15, 1944.

42. V.T. Broughton, "Where we Stand on Collective Bargaining for Engineers," Engineering News-Record, Vol. 134, February 8, 1945, p. 143.

organization of the engineers, by labor, it nevertheless was not met with unanimous approval.⁴³ The fact that only a few collective bargaining units have been created, is indicative perhaps, of the opposition.

Evidence of the stop-gap nature of these units is revealed by some of the rules. Annual dues of only \$5, prohibition of strikes, boycotts, checkoffs and the filing of grievances in discharges for incompetence.⁴⁴

A decade ago the unions claimed that they were not interested in organizing the engineers because of the prohibitive costs.⁴⁵ It remains to be seen to what extent they will forego this consideration.

One of the more controversial unions is the Engineers and Scientists of America. It has 40,000 members mainly in the aircraft and electrical industries. They went on strike at Minneapolis-Honeywell Regulator Company in 1955 winning an 8-10 percent salary increase.⁴⁶ In refusing affiliation, they leave the door open for promotion to managerial ranks. It was formed in 1952 by the merger of 14 different plant engineer unions.⁴⁷

43. V.T. Broughton, "What is Ahead in Labor Relations," Chemical and Metallurgical Engineering, April 1945, p. 121.

44. Civil Engineering, Vol. XIV, May 1944, p. 217.

45. Reported in Herbert R. Northrup, op. cit., p. 20.

46. See Steel, op. cit., p. 36.

47. National Industrial Conference Board, Unionization Among American Engineers, (Studies in Personnel Policy, No.155) New York: N.I.C.B., 1956.

VII Professional Unions and the Law

As mentioned, there was considerable opposition to Section 2 (3) of the National Labor Relations Act, which defines "employee" to include "any employee", making no distinction between professionals and non-professionals.

In general the NLRB has been sympathetic to their view. Its first step was to exclude non-clerical professional workers from the production workers' unit since:

"The economic interests of these ... are on an entirely different plane from those of the production workers."⁴⁸

Next it exempted clerical employees.

"We shall accordingly, exclude clerical workers, chemists and technical engineers as well as supervisory employees."⁴⁹

In the Shell Case it was demonstrated to the Board that often these clerical and technical workers are sub-professional.

"We shall, therefore, direct separate elections in order that we may ascertain the wishes of the professional employees."⁵⁰

A final case is where maintenance workers compose such a small number that being unable to form a unit of their own they may be included with professional unions.

48. Case of Northrop Corp., and UAW (CIO), Local No. 229, August 3, 1937, in NLRB, Decisions and Orders, Vol. 3, p.237.

49. Case of Tennessee Copper Company And AFL Federal Union No. 21164, March 3, 1938, Ibid., Vol. 5, p. 773.

50. Case of Shell Development Co. and FAECT (CIO), January 13, 1942, Ibid., Vol. 38, pp. 196-197.

The objections were amended by the passage of the Labor Management Relations Act of 1947, which defines a professional employee in Section 2 (12) (a) as one who performs work which is:

- 1) Predominantly of an intellectual nature,
- 2) involving the use of judgment and discretion,
- 3) whose output cannot be standardized in units,
- 4) but which requires specialized instruction at an institution of higher learning.

Part (b) provides that a person who has the academic qualifications and is performing work in this field, even though under the supervision of a professional, he too is classified as a professional.

Section 9 (b) empowers the NLRB to determine the appropriate bargaining unit, provided that the Board shall not:

- "(1) decide that any unit is appropriate for such purposes if such unit includes both professional employees and employees who are not professional employees unless a majority of such professional employees vote for inclusion in such unit; or
- (2) decide that any craft unit is inappropriate for such purposes on the ground that a different unit has been established by a prior Board determination, unless a majority of the employees in the proposed craft unit vote against separate representation."

VIII Professional Unions Today

As previously mentioned, professions may choose between affiliation, forming independents, or joining with a professional society. A further alternative which professionals are exhorted to consider is a type of company union in existence at General Electric Company.⁵¹ In 1938 the G.E. Engineers Association was formed to fill the gap between management and the engineers. It neither negotiates nor bargains, but reviews with management situations which warrant attention.

It appears that a large number of professional associations were simply escape devices, to avoid affiliation with the AFL - CIO. When the union threat died some of these associations also disappeared. Many have however, because of lagging increases, poor personnel policies and the resulting grievances, and the competitive gains of the production workers, become effective collective bargaining agencies.

With the apparent disregard for union themes of "solidarity", professional associations differ in structure to accommodate the peculiar needs of the plant.⁵²

a) They are chiefly single plant organizations, sometimes loosely tied with other plants. There is great

51. Steel, op. cit., p. 37.

52. Bernard Goldstein, "Some Aspects of the Nature of Unionism among Salaried Professionals in Industry," Chicago: Univ. of Chicago, Industrial Relations Center, Research Reprint Series No. 64. (Reprinted from The American Sociological Review, April, 1955.)

emphasis on local autonomy.

b) Consequently, local associations have defined their own terms of eligibility, almost disregarding the Taft-Hartley definition, usually in terms of education or experience.

c) Union membership is voluntary.

d) The national organization is limited to an advisory capacity.

e) There is emphasis on such things as "a feeling of professional pride in the work".

f) In bargaining for salaries, the minimum is fixed leaving room for merit increases. Thus the principle of individual merit remains, some contracts providing that grievances may be filed if a person has no merit increase within a certain period.

g) Seniority is given little importance in promotions, increases and layoffs.

h) Many contracts permit personnel to attend conferences with pay.

i) Greater royalties are awarded for discoveries. The 1950 Census shows 500,000 engineers. Unions claimed that 60,000 of these were members.⁵³ The make-up of this figure is obscure. The Engineers and Scientist of America (40,000) and other independents show 10,000.

53. N.I.C.B. op. cit., pl and p. 8.

IX Conclusions

Some opponents of professional unionization fear that if research workers press for higher and higher wages, research budgets may be cut. Thus technical advancements and innovations may slow down and the standard of living decline. But it seems that few people would deliberately deprive themselves of their livelihood.

Others say that affiliation is inevitable. It is claimed that if professional workers went on strike, the plant would still continue in operation, because research is postponeable. Picketing would not be resorted to since this is undignified. Production workers would not go on sympathetic strike, unless there is closer cooperation between them. So, while at present they are content to remain apart, it remains to be seen whether they will one day close ranks.

Trade Unions have come a long way. They have battled against the heaviest odds, when the times were sparse or plentiful. Violence, vice, political pressure, social ostracism - every device has been used in (and often by management in preventing from) attaining their goals. A folklore of heroic deeds, bitter memories and triumphant ones, have grown and become a part of the trade union movement. These feelings are cherished, and are not easily discarded nor lightly shared with those who wish to attain their goals in a sophisticated, professional way.

In many ways professional unions remind workers of the former nightmare - company unions. Professional unions seem to be growing rather than declining, but they may be overwhelmed by the trade unions if they merged, or they might shift the center of gravity in the unions to give a new and more responsible direction.⁵⁴

Under present conditions this amalgamation is not likely. For example in the German system of codetermination, where the directors have labor representation, this might be more feasible. Here the board of directors has eleven members, five chosen by stockholders, five by labor, and the eleventh by the other ten.

Day-to-day administration is handled by a committee composed of the production manager, the commercial manager, and the labor manager. The labor manager is also a labor representative, whose appointment and dismissal require majority votes of the labor members and the board of directors as a whole. But he is only indirectly responsible to the workers, through the board.⁵⁵

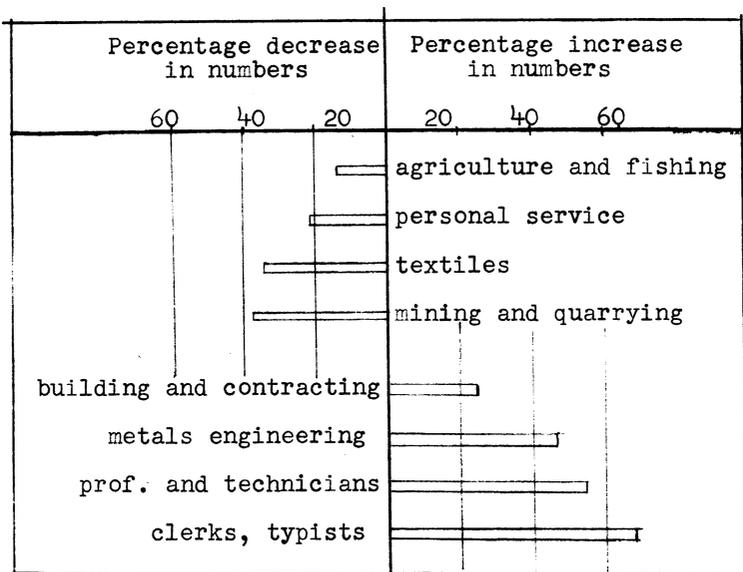
This pluralism would seem - superficially at least, to lend itself to more responsible political activity, and be more conducive to production and professional worker cooperation.

54. See Bernard Goldstein, op. cit., p. 205.

55. Herbert J. Spiro, The Politics of German Codetermination, Cambridge: Harvard University Press, 1958.

APPENDIXTable 1.

Changes in Occupations
1951 compared with 1931
(England and Wales)



Source: Based on a chart in The Economist, July 19, 1952, p. 147. The data was obtained from the preliminary results of the 1951 Census, from a sample of one out of every hundred.

a Source of 1948 data (Table 2): Directory of Labor Unions in the United States, Bureau of Labor Statistics, Bulletin No. 937, June 1948.

Source of 1957 data (Table 2): Directory of National and International Labor Unions in the United States, 1957. U.S. Bureau of Labor Statistics, Bulletin No. 1222.

Table 2.

The membership in affiliated and independent unions whose number exceeds 1000, are listed by occupation. Attempts to reconcile union and non-union data with Census releases, by occupation, proved fruitless.

The 1948 Bureau of Labor Statistics figures quoted are among the first collection released, which reveals membership in professional unions. The author has quite arbitrarily selected from these lists, only those which might include a large number of professional workers.

For space considerations, full titles are not used.

Aviation:	1948 ^a	1957
Air Line Communications Employees	*	1500
Air Line Pilots Association	7000	11051
Flight Engineers' Inter. Assoc.	*	2300
Clerical:		
Office Employees' International Union	22790	60000
Salaried Unions; National Federation of Teachers; American Federation of Writer's Guild of America	**	17000
	50000	50000
	*	2400
Communications:		
Broadcast Employees and Technicians	1500	5100
Communications Association, American Radio Association, American	**	7500
	*	1600
Entertainment:		
Actors and Artistes of America	36000	38246
Musicians; American Federation of Stage Employes and Moving Picture Operators	232371	256851
	56000	50100
Engineers:		
Engineers, American Federation of Technical Marine Engineers' Beneficial Association	5700	12000
Masters, Mates and Pilots of America	19083	11000
Mechanics, Educational Society of America	4800	9500
Oil, Chemical and Atomic Workers Inter.	**	49423
	74000	183000
Government:		
Federal Employees, National Federation of Government Employees, American Federation of State, County and Municipal Employees	93000	98000
	30500	64000
	88300	150000

* Apparently not in existence in 1948.

** Apparently figures not reported in 1948.

a See p. 29.

Table 3.

In this table white collar workers consist of, professional, technical, sales and clerical occupations.

It is the "Estimated distribution of national and international unions by proportion of white collar members.

<u>Percent of members in white collar work</u>	<u>number of unions</u>	<u>number of w.c. workers in '000</u>	<u>percent of all w.c. members</u>
None	95	-	-
Less than 10 percent	33	268	10.9
10 but under 30 "	8	156	6.3
30 but under 50 "	2	171	7.0
50 but under 70 "	4	249	10.1
70 but under 90 "	5	320	13.0
90 percent and over	37	1297	52.7

Source: Directory of National and International Labor Unions in the United States, 1957, U.S. Department of Labor, U.S. Bureau of Labor Statistics, Bulletin No. 1222, p. 12, Table 6.

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