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Second-wave feminism, scholars argued until recently, was a product of middle-class educated women who rejected inequality masquerading as domestic tranquility in the postwar United States. Women unionists were either invisible in these accounts or dismissed as unimportant to the development of feminism’s objectives and strategies. Recent labor history research has called this portrayal of working women into question. Whether considering a single union or broad national patterns of political change, several historians have pointed to unionists’ contributions to campaigns for equality. These came in the areas of pay and job discrimination as well as in the effort to pass the Equal Rights Amendment (ERA).¹

These studies are useful, but they carry students of contemporary labor and feminism only so far in explaining how unionists embraced and fought for gender equality. While they detail the process of change, from support for protective laws to support for equal employment laws within individual unions, they do not provide a comparative analysis between unions that could explain why organized labor’s response to equal employment mandates varied widely. Similarly, they point to the visibility of union women in second-wave feminism but do not locate their centrality in multi-layered negotiations with middle-class feminists and government officials over the shape and character of change taking place. In examining labor’s support for gender equality we must widen our analytical lens and consider a “more complex history of alliances and constraints,” as historian Shirley Tillotson puts it in her study of unions and Ontario’s equal pay law.² Such an approach includes a cross-institutional examination between unions and the AFL-CIO, unions and other liberal groups, and the constitutive role played by the law in the campaign for gender equality. Venturing beyond the confines of a single union does not entail sacrificing the detailed and nuanced consideration of the ecologies of local unions. Instead, it encourages us to make connections between groups and think more systematically about the larger patterns of social change.

Applying this analytic framework, this essay argues that union women played a fundamental, albeit uneven, and class-conscious role in the femi-
nist movement. The history of unionists’ “consumption” of federal equal employment opportunity law in the 1965–1975 period demonstrates that rank-and-file women were at the forefront of the groundswell of feminist resurgence after 1965. Women members not only forced their own organizations to reconsider their opposition to equality; their legal protests against workplace inequality “legitimized” middle-class, professional feminists’ calls for stronger federal antidiscrimination guidelines. This general trend to equality was tempered by the asymmetrical nature of such progress across unions. Comparative analysis of the packinghouse and electrical unions below demonstrates that a labor organization’s gender relations depended in large part on the effect of industrial structures on the sexual division of labor, the union’s organizational structure, and the union’s political and leadership history.

When union women joined with other feminists in embracing equality, they staked out positions independent from those of women in groups such as the National Organization for Women (NOW). The discord between these two feminist camps was rooted in class differences. Even by the mid-1970s, unionists remained troubled by NOW members’ limited attention to workplace issues, especially their hostile view of union practices such as seniority guarantees in collective bargaining agreements. A full incorporation of union action in the history of second-wave feminism and recognition of its class-bound varieties emerge from this revisionist account.

_Federal Equal Employment Law, Sex Discrimination, and the AFL-CIO_

Title VII of the Civil Rights Act of 1964, which prohibited discrimination in employment, did not receive the support of many working men and women. Most unionists at the time believed that protective labor laws and separate job and wage lists were necessary measures. They held that these measures shielded male workers from employer-initiated competition with female workers, safeguarded working women’s health, and limited women’s work hours so they might attend to their domestic duties. Despite their objections to the inclusion of the sex provision, labor leaders strongly backed the civil rights bill in order to bring about racial equality, helping to further the cause of gender equality.3

Title VII did not give the newly-created enforcement agency, the Equal Employment Opportunity Commission (EEOC), the power to compel employers and unions to end discriminatory practices, punish agents, provide victims with remedies, or take violators to court. It did, however, give its members the power to investigate discrimination complaints and issue findings of fact. If they were unsuccessful in resolving the charges, EEOC representatives could persuade the Justice Department to file suit or notify individuals that they could proceed to federal court in quest of relief. The EEOC was a weak, underfinanced, and understaffed govern-
mental agency. It served, however, as a touchstone for those opposing gender equality at the national level. In its first few years of existence the EEOC left protective laws intact for the most part; nevertheless, women could bring their own lawsuits charging the invalidity of such measures, and commissioners encouraged state legislators to reconsider protectionism.4 The AFL-CIO leadership—male and female—was opposed to this last possibility: “It has taken the trade union movement nearly a century to build the protective laws and we do not intend to see them destroyed,” wrote federation lobbyist Andrew Biemiller to one West Coast woman as late as 1972.5

Despite their opposition to Title VII’s ban on sex discrimination, union leaders ran up against strong economic, political, and social currents favoring gender equality. The first of these dated back to working women’s experiences during World War Two. Recruited to work in “men’s” jobs, women accomplished their new tasks—previously thought too physically and mentally demanding for them—with distinction. Their abrupt dismissal by management during reconversion, in collusion with male unionists, left many women embittered.6 Those who remained became committed strongly to union seniority principles and publicized their awareness of the artificiality of job-typing by sex. The accelerated introduction of automation in the 1950s further undercut the rationale for employment segregation as “heavy” job elements disappeared in many industrial sectors. Industrial hygienists foresaw the elimination of a large percentage of traumatic injuries from lifting, handling, and unloading of stock as well as contact with fumes and dangerous materials. “Automation promises to relieve more and more workers from dangerous, dirty, heavy, and back-breaking jobs,” wrote one labor specialist.7 Public acknowledgment of this transformation of work appeared by the early 1960s. “[W]e have to start to think a wee bit differently than we have in the past as we have separated men and women exclusively in terms of muscular power,” Jacob Clayman of the AFL-CIO’s Industrial Union Department noted in 1962. “If anybody . . . can read the signs on the horizon automation will invite women . . . to do as well as any . . . man no matter how muscular and even though he conforms to the Mr. Atlas type.”8 Though automation undercut rationales for job-typing, it had negative effects for women as well. Several studies of the period found that women were laid off in disproportional numbers, were unable to relocate as readily as men due to family responsibilities, and were forced out of jobs when automation increased shift work, thus leaving women ineligible to work late and long hours due to state protective laws.9

On another front, the new emphasis on consumption and the rising number of women in the paid workforce chipped away at gender inequality. They did so in two ways. First, they called into question the normative assumption that women’s employment was temporary in most cases, and, for those who worked full-time, that it was subordinate to that of men
who held higher-paying “family-wage” jobs. Women began to reject the long shadow protective laws had cast over their lives. Protectionism had served women wage-earners for some seventy-five years as a defense against the highly exploitative industrial world. In the midst of a booming postwar economy, however, women unionists questioned why they could not work in higher-paying jobs, and why they faced layoffs, while men with less seniority continued in their positions with overtime work opportunities. “I believe justice demands that we receive these same rights, privileges and protections as male workers,” wrote a woman unionist from Missouri. While she supported sex being included in antidiscrimination codes, this same woman decried “so-called equal rights legislation” and did not believe mothers of small children should work. While there were only isolated calls to dispense with protective laws in a wholesale fashion before the mid-1960s, there was no effort to add to the existing legal mandates limiting women’s employment.10

The second result of this shift away from protectionism was more visible and immediate: A prolonged legislative campaign for equal pay brought union and liberal women’s groups together to push for the federal law that finally passed Congress in 1963. Championing the free enterprise system and the notion that American-style democracy protected individual rights, they built support for the legislation by arguing that its passage would help increase family earnings and buying power. Unionists joined forces around the U.S. Department of Labor’s Women’s Bureau coalition, whose members, in addition to union women, included liberal, middle-class women in organizations such as the National Consumers League and the League of Women Voters. By the late 1950s, a fifteen-year campaign for equal pay legislation had provided women activists with, as historian Alice Kessler-Harris puts it, “expanded notions of justice, encouraging perceptions of male/female equality that had previously been invisible.”11

Crucial to the developing support for gender equality was the fact that women drew on the social unionist ideal of equality—a key objective of industrial unionists in the 1930s and 1940s—in calling for an end to sex-segregated jobs and seniority lists as well as unequal pay. That most working-class feminist leaders came from CIO-based unions was not coincidental: Craft unions excluded women in many cases and ignored most in their ranks; industrial unions sought the support of semiskilled workers, a large number of whom were minorities and women. The CIO’s plea for industrial democracy and equality was a drawing card that drew the newly organized into the ranks in the 1930s. Moreover, the social unionist agenda promoted legislation as a way of realizing their goals. Even after the CIO moved to a more routinized, bureaucratic unionism (especially after its merger with the AFL in 1955), its commitment to equality persisted, although shorn of its militancy. Industrial unionists led the fight for equal pay, and several members served on President Kennedy’s President’s Com-
mission on the Status of Women. This group helped sow the seeds for the growth of the feminist movement by releasing a widely publicized report and by creating an ongoing institutional structure in which to discuss “women’s issues.”

Despite this “predisposition” to equality, nothing had prepared union officers for the massive number of EEOC sex discrimination charges filed soon after the commission opened in July 1965. In the absence of a sizable women’s movement, and with policymakers’ attention focused on eliminating race discrimination, union leaders were taken aback by the challenge brought by women workers against the practices of wage inequality, separate seniority lists, and male-controlled job recruitment practices. This created, in the words of the author of one union’s annual report, “a new problem in a rather unexpected vein.”

The nearly twenty-five hundred women charging sex discrimination during the EEOC’s first year alone (twenty-seven percent of the total complaints) fell into several major categories. This suggested that the problem of gender inequality in employment was deep-seated: Unequal employment benefits (thirty percent), separate seniority lists (twenty-four percent), unfair restrictions due to state protective laws (twelve percent), and discrimination in hiring and firing (5.6 percent) appeared most frequently. No labor organization was immune from such charges. Skilled trade groups, public-sector unions, and industrial unions priding themselves on social unionist ideals all practiced discrimination in some form.

Analysis of previously unexamined EEOC complaints and union records points to the crucial role rank-and-file women played in strengthening the campaign for gender equality. Protests often took the form of simple, direct pleas to labor leaders. “As an unprotected ‘man’ I work a little more than women and I earn almost twice as much money,” wrote one Communications Workers woman to AFL-CIO President George Meany shortly after her employer opened up “men’s” jobs to women. “‘Protective laws,’ sir I do not need.” More powerful still were the hundreds of complaints the EEOC received which named international and local unions as defendants. Labor leaders often joined women in their legal efforts when it appeared that the local might be named as a defendant party. “We filed a grievance under the normal procedure and we were laid off. The union refused to recognize it, saying that it was not a grievance procedure,” the Chemical Workers’ Georgianna Sellers told senators at a 1970 congressional hearing. “[T]he union found out that we were going to file charges with the EEOC, so they very conveniently told us that they would take us to a lawyer and file our complaint for us.” Self-interest often informed male unionists’ backing of women’s protests. “Our records indicate that we have been involved in many, many conferences with the representatives of the [EEOC] Commission, International and local unions for the purpose of obtaining successful agreements,” the AFL-CIO’s De-
partment of Civil Rights director noted in 1972. Training unionists in “compliance awareness” programs, he bragged, played a significant role in reducing lawsuits and plaintiffs’ awards.17

While all unions were subjected to sex discrimination complaints, there were marked differences in support for Title VII enforcement among unions. Existing literature on the subject suggests some reasons for this. Scholars such as Ruth Milkman, in her work on automobile and electrical workers during World War II, have pointed to the industrial structure of a work force as shaping the contours of gender relations, while others, such as Nancy Gabin, in her study of the United Automobile Workers (UAW), focus on the political and organizational history of a union as key factors in explaining working-class feminism’s emergence. Taken together, both emphases are invaluable in accounting for the uneven support for gender equality. The experiences of electrical and packinghouse unionists make clear that the character and number of complaints depended on a particular union’s industrial structure, organizational structure, institutional history, and leadership. Male unionists in the United Packinghouse Workers (UPWA), for example, reacted against efforts to enforce Title VII’s mandates. At first glance the UPWA’s response seems puzzling. How could a union that prided itself on its militancy, its defense of rank-and-file demands, and its avid support for African-American workers’ rights find its members locked in a series of bitterly contested battles over Title VII’s enactment? The meatpacking union’s proud history, however, offers crucial insight into important reasons for the divisive struggle over gender equality. The strongly independent nature of UPWA locals, many of them originally unaffiliated militant unions, created a legacy of autonomy from centralized authority. Packinghouse unionists prided themselves on toughness and hostility to “outside meddlers,” whether they were international officers, employers, or federal equal employment opportunity officers.18

Regional variations within the UPWA explain why nearly all complaints filed by women under Title VII came from midwestern unionists. District 3, encompassing Iowa and Nebraska locals, had a larger percentage of its membership working in large plants—where complete meatpacking procedures occurred—than in other districts. In addition, women only constituted thirteen percent of the district’s rank and file while they made up twenty percent of the union’s total membership. These data suggest that women had a weaker presence overall in District 3 locals compared to other locals. Most UPWA activism for equal pay in the 1950s, in fact, occurred outside District 3, especially in Chicago, where a large population of African-American men and women operated as a vanguard for the union’s long-standing commitment to fighting racial discrimination.19

A key shift in packinghouse industrial relations occurred when management instituted massive mechanization and reorganization schemes in the workplace after 1955, giving rise to tensions between men and women.
Union job losses displaced women workers at almost twice the rate of men, affecting workers especially in District 3, where women UPWA members had little experience in leadership. These laid-off workers could expect little assistance at the international level; no woman ever held an executive board position, nor did a “women’s bureau” exist as in the UAW. Although employer-initiated changes in the labor process had not been supported by the union leadership, when layoffs began male unionists responded in gendered ways, frustrating attempts by women to make demands that would be costly to men’s economic position.20

Official and unsanctioned shop-floor practices combined to assure that job-typing by sex remained a key feature of the packinghouse industrial landscape even after Title VII’s passage. Although employers and union leaders renegotiated labor agreements in order to rid the industry of blatantly discriminatory measures, they created in their place an “ABC” job classification system that helped maintain a quasi-official sex-segregated workplace. Some jobs were considered fit for men (“A” jobs), others for women (“B” jobs); and the rest were deemed suitable for men or women (“C” jobs); all workers could officially bid for any job, but “crossing categories” involved following complex procedures designed to discourage such moves. This classification scheme was arbitrary and relied upon local tradition to determine what was a “man’s” job or “women’s” job. Younger male workers, worried that they would be thrown out of work if the ABC system and plant-wide seniority went into effect, engaged in hostile acts that included shop-floor sabotage, isolating women workers moving into men’s jobs, and adding heavy elements to jobs in the hopes that women would abandon those positions to men.21 “We had a awful time with our women, because they were fighting for survival,” recalled a long-time union member.22

In contrast to the UPWA, the International Union of Electrical Workers (IUE) had an exemplary record in fighting sex discrimination. Their “accommodationist” reception of equal employment law led the IUE to establish, in the words of two EEOC officers writing in 1975, an “alive and dynamic” compliance program. This program included full-time social action and women’s activities directors and involved substantial resources provided by the organization’s legal department, as mandated by the IUE’s executive board.23 Institutional and industrial structures, as well as political factors stretching back to the 1930s, account for the electrical union’s progressive record. Unlike the rank-and-file-led UPWA, the IUE was a large, centralized labor organization whose Washington, D.C. headquarters staff maintained close contact with local unions, making compliance with federal law much easier. More importantly, while UPWA women made up anywhere from twelve to twenty percent of its membership, IUE women filled up thirty-five percent of the IUE ranks. Competition for members in the 1950s between the IUE and the beleaguered left-wing United Electrical Workers Union made women’s demands more central to IUE
policies. While the IUE did not have a visible and permanent “women’s bureau” at the international level like the UAW, women worked in union staff positions in the nation’s capital; they participated in inter-union and liberal interest groups that worked on equal-pay concerns. Several union leaders served on the President’s Commission on the Status of Women; in 1974 IUE activists helped establish the Coalition of Labor Union Women, a working-class feminist group.24

No union was immune from local resistance to change. While the IUE’s history of gender relations lacked the animosity found in the packinghouse experience, electrical workers also engaged in grassroots protests in order to counter male hostility. After filing charges with the EEOC in 1967, for example, a woman from Local 717 in Youngstown, Ohio, told the government official investigating her complaint that union officers “continually harassed” her; the woman related how a shop steward threatened her, telling her that “men were waiting for her,” and “would take care of me.”25 In the mid-1970s, IUE counsel Winn Newman reviewed the “substantial harassment” women faced in filing discrimination charges, including “incidents involving women who tried to get men’s jobs—slashing of tires . . . gun shots in their homes, placement of rats on machines, [and] a strike when women went on jobs for the first time.”26

The significance of women workers’ push for equality went beyond the immediate confines of their union. By demonstrating their dissatisfaction with workplace practices, filers of sex discrimination complaints—encouraged by EEOC employees sympathetic to aggressive Title VII enforcement—helped inspire a feminist-led drive for strong gender equality measures. Feminists in the late 1960s may not have been “representatives empowered by a grassroots social movement,” as historian Hugh Davis Graham contends, but working-class women helped shape and validate the efforts of activists.27 “Some of the early EEOC cases were filed by working-class women who were victims of discrimination and who I consider heroines,” recalled Sonia Pressman, an early EEOC attorney and NOW cofounder, in 1990. “[T]hey were not, by and large, founders of NOW, FEW, and the Women’s Equity Action League, but they certainly filed some of the early leading cases.”28 There is ample evidence here; women unionists were victorious in lawsuits challenging the validity of state protective laws, as well as sex-segregated job classification schemes, seniority lists, and locals.29 Law professor Leo Kanowitz noted at a government hearing that all charges brought on the subject of hours under Title VII had “been brought by women workers seeking to invalidate state hours limitation laws presently applying for women only.” Given the choice, Kanowitz said, women wanted “the attractive pay.”30 Even when women took these charges to court and lost, notes political scientist Karen Maschke, “the litigation process served as a means for mobilizing support for the legal issues at stake.”31

The national battle for gender equality only took on political force
with the emergence of the feminist movement in the late 1960s. UAW women, joining with upper-class women from the small, conservative National Woman’s Party, and younger, liberal activists, formed NOW in October 1966. The Kennedy administration’s President’s Commission on the Status of Women report (released in 1963) and the passage of Title VII energized this new wave of feminists. Activists, politicians, and government employees came together in protest over what they viewed as the EEOC’s slowness in providing equal employment conditions for women. Unlike radical feminists of the period, NOW members sought reform through the political system. “[F]rom the moment of its birth,” writes historian Cynthia Harrison, “Washington politicians knew NOW was there.”32 In its early years NOW members lobbied and marched vigorously for change. “Title Seven has no teeth, EEOC has no guts” read one NOW picket in front of the commission’s headquarters in late 1967.33 There was cause for optimism in the heady days of the 1960s. In response to NOW pressure, for example, President Lyndon Johnson amended an executive order banning discrimination of the basis of race by government contractors to include a prohibition on sex discrimination.34

The cumulative effect of federal data pointing to the prevalence of sex discrimination (much of it gathered by, or at the insistence of, NOW members such as Sonia Pressman) and the pressure of feminists and working women’s complaints drove the recalcitrant EEOC to toughen its sex discrimination guidelines. By 1968 commissioners had returned to their original practice of determining the legality of protective laws on a case-by-case basis instead of ignoring the issue altogether; they ruled that separate retirement ages for men and women violated Title VII, and separate want ads were also ruled unlawful. The next year, EEOC policymakers finally bowed to the varied sources of pressure for equality and released new guidelines mandating that Title VII superseded all state protective laws for women. Further, investigators were to interpret narrowly the act’s “bona fide occupational qualification” clause, effectively shutting off employer and union excuses for single-sex job categories.35

The split within the labor movement over how to enforce Title VII was not a simple matter of rank-and-file women at odds with male union leaders. Public disagreements surfaced among national women union leaders over the legitimacy of protective laws for women. This pointed to the diversity of opinion on gender equality. At a 1966 Los Angeles Times forum on protectionism, for example, EEOC commissioner Aileen Hernandez, an ex–West Coast Garment Workers education director, spoke for the elimination of protective laws unless they could be extended to all workers. Opposing Hernandez, Ruth Miller of the Clothing Workers, and chairwoman of the California Advisory Commission on the Status of Women, argued for their retention. Using the rhetoric of protectionism and difference, Miller explained her position: “[O]ne must recognize the fact that a woman’s role and responsibilities are not the same as those of the
male.” Hernandez rejected labor’s traditional stance, noting that the elimination of such measures would bring women a degree of liberation: “The key to the approach of equality for women workers is not what they will be forced to do by state law, but rather what they have the freedom of choice to do.” While acknowledging that this “freedom” might bring women “to accept the sometimes difficult burdens which go along with such equality,” the benefits that accrued to the growing ranks of women workers from the abolition of such laws as those limiting working hours would offset these sacrifices.36

Unionists in all organizations and at all levels disagreed over the wisdom of embracing full legal equality. The UAW leadership splintered labor’s solidarity in the area of protectionism by backing the impressive but unorganized force of complaints filed with the EEOC. They became the first union to oppose protectionism. Although women only made up about ten percent of their membership, the presence of a UAW women’s bureau and the union’s commitment to social unionism placed it at the forefront of efforts to enforce Title VII. In 1965 the union’s Caroline Davis asked the fledgling EEOC to develop “a policy saying that state laws affecting women cannot be used as a justification against women”; UAW representatives formalized their union’s opposition to state protective laws at 1967 EEOC hearings on the matter.37 Even in the UAW, however, unanimity of opinion on gender equality among women did not exist. Emily Rosdolsky of the international staff joined with UAW Local 3 women’s committee members to challenge their labor organization’s position in support of repealing hours limitations laws by arguing that women needed protection in the area of working hours. They pressed, however, for their integration into “male” jobs previously closed to them.38 Like many unionists, these women did not so much embrace protectionism or equality completely as they occupied a middle ground between an older notion of gender relations and a newer understanding of the need for equality.

A generational factor contributed to divided opinion on equality as well. That some women union activists continued to defend protectionism into the early 1970s can be explained, in part, from their underappreciation of the new economic and social forces shaping working women’s lives. Most of these activists were approaching middle age by 1969; they had been out of the industrial work force for at least a decade. They tended to hold staff—not elected or legal—positions, which suggests that they may not have understood immediately the significance of the multitude of sex discrimination complaints filed against unions.39 In failing to grasp the changing economic terrain affecting women, these union activists suffered from a sort of lag effect: They still believed that old-line National Woman’s party (NWP) members were at the forefront of efforts to invalidate protective laws. “The ‘feminists,’ mainly professionals,” the Clothing Workers’ Ruth Miller asserted in 1969, “have taken a very narrow view [of equality] and are winning because no organized effort has been made to oppose their
thrust either in the courts or the community.” This mistaken characterization of the growing coalition for equality, however, was sadly out of date with the new political realities of the period.

Not all women activists defending protectionism were unaware of rank-and-file demands. In some unions with a considerable female membership many unionists continued to support state protective laws for women. Those unionists having the most to lose from the absence of protective laws for women—in those labor organizations with a high percentage of women members such as the garment and clothing workers unions—opposed equality measures in the fiercest manner. This was especially true for Myra Wolfgang, vice president of the Hotel and Restaurant Workers union (HERE). Wolfgang’s constituency consisted of the waitresses who made up nearly thirty-five percent of HERE’s membership; unlike industrial unions, many waitresses belonged to sex-segregated locals, and did not share a penchant for social unionism. Historian Dorothy Sue Cobble argues that HERE women practiced “occupational unionism,” a practical craft-based labor activism reminiscent not so much of the “worksite unionism” championed by the CIO as that of the AFL with which they were affiliated before the federation’s merger with the CIO.

By the decade’s end advocates of protectionism became increasingly aware of the poor chances for reversing legal trends. Anne Draper informed male federation staff members in 1969 that, unless immediate work were undertaken to counter the “articulate and virulent” campaign of “feminist attack[s]” on protective laws, they would fail. In surveying the political landscape, Draper found that the U.S. Women’s Bureau coalition had collapsed: “The traditional liberal women’s organizations that have supported hours laws, etc. are pretty flabby at this point. . . . The Department of Labor is now a kind of ladies’ auxiliary to the EEOC in this field. Not much support can be expected from that quarter.” Draper did not believe that unions could contribute much to this unfavorable effort either:

AFL-CIO unions would probably follow “national policy” if the national office took the lead, but with varying degrees of enthusiasm. Principal supporters of protective legislative [sic] have been the “women’s unions.” Unions with more mixed memberships might simply “sit it out” (e.g. IAM, Steel, Transport Workers). The Auto Workers would, of course, be completely opposed.

Draper’s view exemplified the growing sense of futility felt by many in the liberal camp of the Democratic party in the face of the invalidation of state protective laws for women. “Arguing against equality is enormously difficult,” she wrote, “especially when an ‘equality’ law is already in place, vigorously promoted by its administrative agency with a stack of ‘specific cases’ to document its point.” Indeed, EEOC members had “moved faster and farther than anyone realized,” Draper noted. By December 1969, she notified the Clothing Workers’ vice president that, in the view of
the federation’s counsel, the trend against protectionism was “basically irretrievable”; the only hope, she wrote, lay in attempting to extend protective measures to all workers.  

*Embracing Equality: The Labor Movement and the ERA*

The campaign for endorsement of the Equal Rights Amendment reveals that unionists continued to be divided along organizational, hierarchical, and generational lines. With their loss on the issue of protective labor laws overriding Title VII mandates, federation leaders adopted an almost frantic opposition to the single issue that united second-wave feminists—the ERA. Unionist Doris Hardesty expounded the AFL-CIO’s position against the ERA in a January 1971 article in the *American Federationist*. The author—a former member of the AFL-CIO’s Department of Civil Rights—not only emphasized the need for continued enforcement of state protective laws but suggested that present legal measures already guaranteed gender equality to those women who sought it: “When one looks at all the things that need to be done, it seems shameful to waste so much energy over a 47-year-old proposed amendment for women’s rights which most legal experts think is already covered by the 5th and 14th Amendments to the Constitution.”  

Peppered her comments with denigrating labels for ERA supporters, such as “ladies of the lib,” Hardesty renewed the AFL-CIO’s familiar call to legislators to pass “specific bills for specific ills.” Federation leaders acknowledged that they could only require officers and department directors—not individual unionists or constituent union heads—to abide by anti-ERA convention decisions, but noted that several unions with a large number of union members opposed the ERA.

Many women union staff members and activists rejected the ERA in terms identical to those enunciated by their male colleagues. Most of these women came from industrial unions and had fought for equal pay legislation. Even in the wake of Title VII they still believed that justice for women workers came in the form of protective laws, not in measures demanding equal treatment with men. Despite evidence to the contrary, union activists continued to view the ERA as the work of upper-class women organized around the often-conservative National Woman’s party. “It is quite apparent that the leadership in support of the [equal rights] amendment is composed mainly of middle-class professional and semiprofessional women, an infinitesimal percentage of the more than 30 million in the workforce,” Ruth Miller of the Clothing Workers told a September 1970 congressional hearing. In an attempt to cast their unions’ eroding position as more progressive than that of amendment backers, Miller, along with women from unions such as those of the Communication Workers and Garment Workers, reframed the issue for legislators from an
equality—inequality question to one emphasizing the labor movement’s
dedication to improving workers’ lives as opposed to fanciful promises of
equality. To this end, IUE officers submitted a statement to a House
hearing on the ERA in 1971, decrying the amendment “as a force eliminating
benefits rather than creating any.”\footnote{In an appeal to common-sense reform, women union representatives
agreed that many laws needed to be modified to reflect contemporary
working women’s needs. One Communications Workers representative
called for continued enforcement of state maximum hours laws but ac-
nowledged that professional, supervisory, and executive employees
should be exempted from such strictures in view of the nature of their
work. Similarly, the Clothing Workers’ Miller recommended that job as-
signments by sex be eliminated; she urged her listeners to retain hours laws
for women workers, however, in order to give them more time to complete
their domestic tasks and other familial duties. As Miller and other union-
ists were fond of pointing out, the ERA did not account for the unequal
sexual division of labor at home.\footnote{Both sides in the ERA battle traded accusations that the other wasted
too much effort on the amendment to the detriment of other issues affect-
ing women. “The time, energy, and money now being spent in the effort to
pass the equal rights amendment,” Miller fumed, “should be channeled in
the direction of State legislatures and . . . Federal law. There should be a
coalition of all groups working for the passage and improvement of stan-
dards for the entire work force.”\footnote{ERA proponents counter-charged that
protectionists failed to mount an adequate campaign to pass laws extending
benefits such as rest periods to male workers; also, they held that labor
leaders had neglected to help men file lawsuits under Title VII to gain
labor standards equal to those of women workers. They seemed unable to
find a “third way” in their search for equality and protection. In only one
instance during this period did the two coalitions join forces: NOW backed
the campaign by the California-based Union WAGE (Union Women’s Alli-
ance to Gain Equality)—an early working-class feminist organization—to
pass a “labor ERA” that would extend existing protective measures to
cover men.\footnote{Waitresses’ hardheaded practicality superseded consistency or com-
mitment to ideals of equality. Less interested than industrial workers in
using unions as vehicles for delivering social justice, they supported equal
pay legislation but rejected the ERA as a proposal promoted, in Wolf-
gang’s words, by “middle class, professional woman, college girl oriented”
activists who did not act in the best interest of working-class women.\footnote{Waitresses continued to defend their control over job elements through
contracts, hiring halls, and legal protections. They feared, with good rea-
son, that gender equality would eliminate their separatist strategy. A 1974
court ruling banning sex-segregated HERE locals weakened waitresses’

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decades-old practices of single-sex exclusivity and confirmed their worst fears.55 HERE members were, above all, unconcerned with conceptual neatness. “They wanted equality and special treatment and did not see the two as incompatible,” Cobble observes.56 Nevertheless, these unionists were astute observers of the pitfalls of gender equality. Myra Wolfgang summarized, albeit clumsily, the position taken by some feminists who became apprehensive about pushing for gender-blind, legalistic “equality”: “We who want equal opportunity . . . know that frequently we obtain real equality through a difference in treatment rather than identity in treatment [with men] . . . We are different and remember, different does not mean deficient.”57

As with equal employment opportunity demands, rank-and-file pressure on union leaders forced a reconsideration of their opposition to the ERA. At 1970 congressional hearings, most labor leaders present testified against the ERA, while women from the UAW, IUE, Amalgamated Meat Cutters, and Government Employees unions protested federation policy at a separate press conference. In Ohio, fifty women from various labor organizations attacked the AFL-CIO’s stance as contrary to their interests.58 Protectionism’s remaining defenders lacked evidence with which to denounce bans on sex discrimination in employment. Asked by one congressman whether full Title VII enforcement had increased economic discrimination against women, the Clothing Workers’ Ruth Miller admitted that she “would not know the answer to that question.”59

Coaxed by these new realities, longtime women activists in the labor movement joined the ERA supporters. Katherine Ellickson recalled in a 1976 interview that she finally endorsed the amendment “when it became clear that state laws were going out anyhow and that the psychological effect of defeating the ERA might be bad.”60 Esther Peterson’s “conversion” came only after the total eclipse of protective laws by equality legislation. As early as 1967, however, she retreated from her opposition to the ERA, arguing that it need not “be viewed as the same disruptive force we once thought it was” due to “changes that have come about and the gains women have made.” The former union staff member and then-assistant secretary of labor attributed the Equal Pay Act of 1963 and other such measures to this amelioration; Peterson, however, was still unwilling to cast aside protective laws entirely. Instead, she attempted to divert attention away from the ERA, characterizing it as superfluous: “it is foolish to spend our efforts debating the merits of the proposed Amendment at a time when we have so nearly achieved its objective [through equality legislation].”61

Having helped engineer working-class women’s battle for gender equality, she hesitated at the precipice of its full realization.

In 1971 Peterson reconciled herself to the necessity of the ERA. This came as a result of the court’s nullification of protective laws and working women’s overwhelming approval of the EEOC’s resolve to enforce Title VII fully. She wrote to legislator Martha Griffiths of her change of heart:
After much soul searching I have come to the conclusion that . . . the enactment of the equal rights amendment would be a constructive step. It is difficult to make this statement. I realize that it will come as a disappointment to many individuals and organizations with whom I shared the opposite view for many years. However, much has happened in the past decade to improve the prospects for women—the Equal Pay Act . . . Title 7 of the Civil Rights Act . . . and the amended Executive Order 11246.

Her clarion call for equality was tempered by a suspicion that not all working women would benefit equally from such a transformation in gender relations. “History is moving in this direction [i.e., equality] and I believe women must move with it,” Peterson told Griffiths. “But it entails a shared responsibility for all citizens. That is why I would urge women who have found changes in the laws to be to their advantage to make every effort to assist those who still may be exploited.”

In a period where the ERA was increasingly becoming, according to one scholar, “the litmus test of whether you were for women or against them,” opponents from the U.S. Women’s Bureau coalition fell in line behind the amendment. The Citizens’ Advisory Council on the Status of Women did not back the ERA in 1967–1968 despite pressure from NOW officers; they reversed their stance in 1970. That year the women’s bureau’s head, Elizabeth Koontz, endorsed the amendment, justifying her move in part by claiming that “if protective legislation is gone or is going, then gone also is one of the major reasons why the Women’s Bureau has never supported the ERA.” By 1972 most other coalition member organizations such as the American Association of University Women and the League of Women Voters had followed suit.

Federationists and members of constituent unions endorsed the ERA in rapid succession in the early 1970s. The Newspaper Guild gave its approval to the amendment in 1970; the IUE and the American Federation of Teachers union in 1972, followed by the Garment and Clothing Workers who backed the measure at their 1974 conventions. With apparently little discord and not much discussion, AFL-CIO convention delegates in 1973 adopted a resolution calling the ERA “an essential step towards meeting the nation’s stated goal of equality for all its citizens.”

By the mid-1970s, unions had become vehicles for collective action in the interest of gender equality. Some women were still against the ERA, but they were in the minority. Pauline Newman, the former Garment Workers education director who had been active in the labor movement for a half-century, regretted the loss of protective laws for women and worried that the litigation costs to women suing for equality would be prohibitive for most working-class plaintiffs. Newman acknowledged in 1976, however, that activists in the recently emerged feminist movement understood contemporary issues better than she. “[T]here is a younger generation,” she observed, “not only better informed but more courageous [in] demand[ing]
what they think is their due." Unions such as the UAW, IUE, Newspaper Guild, and Woodworkers established Title VII compliance programs as a result of women’s direct pressure on labor organizations to make gender equality a centerpiece of union policy and in response to the EEOC and court mandates. These efforts, emphasizing a combination of promoting non-discrimination labor contracts, increased cooperation with the EEOC, and revised grievance arbitration procedures adapted to the law’s requirement, attempted to, in the words of two EEOC officers, “absorb the law of the land to the law of the shop.”

Support for the ERA, however, in no way ensured gender equality in unions. The Teamsters, for example—not known for their advocacy of “women’s issues”—endorsed the amendment in 1970. In the absence of internal pressure by union members, the older practice of ignoring women’s demands continued to hold sway. Even in the relatively progressive UAW, argues Nancy Gabin, “the discrepancy between policy and practice remained.” Union leaders, for example, cheered the EEOC’s announcement that rendered state protective laws invalid, but moved slowly in filing extensive charges against guilty employers. The same lassitude occurred at the federation level. On the heels of their membership’s pro-ERA resolution, AFL-CIO officers declined to provide resources to campaigns on its behalf. In response to the invitation by Mary Gereau of the ERA Ratification Council to the federation to designate a staff member to join the group, the federation’s Andrew Biemiller declined on behalf of its executive council, suggesting instead that state federation leaders might comply with her request. “Frankly we are up to our ears in work and could use two or more people to carry on here,” Biemiller explained to Gereau. Only with the emergence of a national working-class feminist organization, operating within the corridors of federation power, would activists bring the AFL-CIO executive council to consider gender equality in an active and sympathetic light.

**Industrial Unions and the Emergence of Working-Class Feminism**

In many ways women’s status in unions had improved by the 1970s. Female membership increased, the AFL-CIO endorsed the ERA, and the most obvious forms of workplace discrimination had been eliminated. Women comprised an ever-growing share of both the total work force and its organized sectors, especially in the areas of educational services, medical services, and public administration. In 1956 women were 18.6 percent of all union members; by 1978 they claimed 24.2 percent of total membership. Title VII–inspired bans on discrimination appeared increasingly in this period. In 1965 only twenty-eight percent of a representative sample of four hundred collective bargaining agreements contained an antidiscriminatory clause. In 1970 that figure had jumped to forty-six percent; by 1975 it had risen to seventy-four percent.
A sobering analysis of gender relations at mid-decade, however, reveals the lengths to which organized labor still needed to go to achieve workplace equality. Therein lay the agenda of working-class feminism. Women may have had an increased presence on union membership rolls, but their participation in leadership positions was still woefully slim. In the Amalgamated Clothing Workers in 1978, for example, women made up two-thirds of the union's membership, but only fifteen percent of the officers and board members were women. As women unionists peeped back the layers of legal inequality they found less direct forms of discrimination, not so much in the area of obvious inequality as in the impact of policies related to hiring, job assignment, and promotion. Even more disturbing were forms of quasi-official shop-floor inequality perpetrated by male unionists.76

As a result of their dissatisfaction with union practitioners, working-class women organized into feminist groups. By the early 1970s women were already meeting to form inter-union coalitions. Women from meatpacking, mining and teamster locals in northern Virginia, for example, created Labor for Equal Rights Now, a group founded by Lizzie Corbin, an African-American woman. In 1970, a National Rank and File Action Conference attended by six hundred unionists drew up a “Declaration of the Rights of Women” and “Proposals for Action.”77 Veteran industrial women unionists directed the most nationally notable of these organizations, the Coalition of Labor Union Women (CLUW), founded in 1974. While industrial unions were in slow decline, both in terms of their representation of the total work force and political power, seasoned activists such as Gloria Johnson (IUE), Myra Wolfgang (HERE), and Caroline Davis (UAW) carried the social unionist banner into battle for gender equality.

Feminists in unions believed that their cause was inextricably linked with that of labor's. “Remember, we are not each others [sic] enemies,” CLUW Vice President Addie Wyatt of the Amalgamated Meatcutters union (AMBW) told those in attendance at the group's founding convention. “Our unions are not the enemies, because we are the unions. . . . We are telling our unions that we are ready and capable to fight.”78 CLUW members displayed admirable agility in maintaining a critical stance toward the labor movement to which they were committed. While they were opposed to a “feminist union” because, “we already have the structure to make change,” as Gloria Johnson claimed, “if unions don't do the right thing, these women can first pursue their grievance procedure . . . then cases can be filed.”79 CLUW President Olga Madar suggested in the group's newsletter that women workers hold men “accountable through the political process” in union elections.80

CLUW members placed most of the blame for inequality with employers who, they asserted, “profit[ed] by dividing workers on sexual, racial and age lines.”81 While they educated women in general terms about Title VII, CLUW leaders did not usually promote the filing of charges against unions. Male union leaders had little to worry about from these activists in
terms of disruptive and sudden challenges to union practices. Coalition leaders decried sex discrimination in the building trades but few members belonged to such unions. They backed efforts by industrial unions such as the IUE, UAW, and the Communications Workers to institute Title VII compliance programs, supporting the filing of *amicus curiae* briefs by these labor organizations on behalf of their women members, but did not develop a counterpart to the federation's Department of Civil Rights to provide legal redress for women complainants.82

While feminism's resurgence led working-class women, as Ruth Milkman puts it, “to raise their expectations” in organizing around women's issues within labor organizations, unionists remained skeptical about embracing middle-class feminist groups such as NOW.83 Milkman identifies a level of distrust on the part of working-class women toward the “highly individualistic” nature of middle-class feminism; she does not, however, acknowledge unionists' contribution to feminism's emergence or describe how this distance between feminist camps emerged as a result of immediate differences in their respective agendas. Middle-class “elitist organizations,” as Evelyn Dubrow of the Ladies Garment Workers called them, angered CLUW women with their disregard for workplace issues such as minimum-wage legislation and National Labor Relations Act reform. Feminists were divided throughout the mid-1970s on how best to achieve equality.

When NOW activists suggested that union seniority rules be bypassed during the layoffs caused by economic recession, for example, CLUW women bristled at the suggestion. The IUE's Mary Callahan spoke for many union women: “I think those [NOW] women can't understand that a contract is a benefit to a woman as well as a man. They are of the opinion that you go in and pick certain things that are just for us and you set up a dual [seniority] line. Union women don’t see it that way. They see it that a union is a union, that’s what it is, unity of sexes, of the races, what have you.” In a letter to NOW's President Karen DeCrow, CLUW President Olga Madar drew on her work experience in the 1940s when women strove to gain their place in the seniority system. “You may be too young to recall what happened to working women after World War II,” she lectured DeCrow. “The seniority systems were violated in both organized and unorganized work places and affected both women and older men.”84 Despite their differences, CLUW activists were able to bring male unionists and NOW members together to attack the deep structural causes of workplace inequality. The campaign for comparable worth—a plan for redressing the persistent disparity between men’s and women’s wages, first enunciated by the electrical workers in the 1940s—emerged in the late 1970s as a national issue.

By seizing the opportunities offered by federal antidiscriminatory laws and fighting opponents on the shop floor and in convention halls, women across the labor movement forced their union leadership to endorse the
principle of gender equality. As this essay makes clear, the process of change was incomplete and uneven, marked by varying histories of confrontation and accommodation within specific unions. This came from members’ daily encounters with the industrial structures in which they worked, as well as their unions’ organizational structures and histories.

Rank-and-file women pushed the federal government and middle-class feminists to attend to working-class women’s issues as well. The importance of looking for far-ranging connections within and outside the labor movement and identifying not only the experience but the agency of women workers should redirect scholars to place women unionists at the center of the struggle for equality. Women unionists did not merely complement the efforts of middle-class feminists; they helped construct second-wave feminism. Moreover, their demands—real and immediate—contributed greatly to the change in gender relations after 1965. “We do not want separate little unequal, unfair laws and separate little unequal, low-paid jobs,” the Chemical Workers’ Georgianna Sellers told congressional committee members in 1970s. “We want full equality.” That this equality had not yet fully arrived did not seem to trouble Sellers, for women had a new sense of their power and there was “no one more aware of the power of women than women—especially working women.”85

NOTES

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including a proscription on sex discrimination see Esther Peterson, interview with Paige Mulhollan, Washington, D.C., November 25, 1968, Lyndon Baines Johnson Library, Austin TX; George Meany to James Roosevelt, January 29, 1962, Box 55, folder 21, American Federation of Labor-Congress of Industrial Organizations Department of Legislation Collection, George Meany Memorial Archives, Silver Spring, Maryland [hereafter, AFL-CIO Legislation Collection].


6. Gabin, Feminism, 47–142 passim; see Ruth Milman, Gender at Work: The Dynamics of Job Segregation by Sex During World War II (Urbana, 1987).


15. Ginger Timberlake to George Meany, August 26, 1972, Box 55, folder 22, AFL-CIO Legislation Collection.


17. William E. Pollard to Don Slaiman, August 3, 1972, Box 33, AFL-CIO Department of Civil Rights Collection, George Meany Memorial Archives, Silver Spring, MD.


19. Kerry Napuk to All Officers and District Directors, “Analysis of U.S. Membership, March 1966,” October 3, 1966, Box 471, folder 3, United Packinghouse Workers of America,
State Historical Society of Wisconsin Collection, Madison, WI; District Council No. 3, United Packinghouse Workers of America, CIO, Minutes, Seventh Annual Constitutional Convention (Des Moines, Iowa, 1953):36; State Historical Society of Iowa, Iowa City, Iowa.


21. For an example of an ABC classification agreement, see Labor Agreement, John Morrell and Company and Local 1 UPWA (1967–70), State Historical Society of Iowa Labor Collection, Iowa City. Various EEOC complaints review the history of harassment. See, for example, EEOC decision, Case No. KC 7-2-117, Puffinberger et al. v. Morrell and Local 1 UPWA, August 14, 1968, Box 25, folder 9, AMBW P-1 Collection.


24. Besides Kannenberg’s thesis on UE gender relations, see the following for specific information on IUE-UE competition for members: Mary Lou Sauer to Al Hartnett, April 24, 1950 and Mary Lou Sauer to Al Hartnett, April 23, 1950, both in Box 2077, Group 1, International Union of Electrical Workers Collection, Special Collections, Rutgers University, New Brunswick, NJ [hereafter, IUE Collection]; Agreement, Between Philco Corp., Sandusky, Ohio and International Union of Electrical, Radio, and Machine Workers, AFL-CIO, Local 701, 1960, Box 175, Group 1, IUE Collection.

25. EEOC Decision Cases No. CL 7-2-261U and 6-2-946U, Katherine K. Raszchak v. IUE Local 7171, Youngstown, Ohio; June 2, 1967, Box 42, Group 2, IUE Collection.

26. Winn Newman to Paul Jennings, February 7, 1975, Box 156, Group 2, IUE Collection.

27. Graham, Civil Rights Era, 225.


32. Ibid.


35. Ibid.


37. Quoted in Gabin, Feminism, 191. The International Chemical Workers testified against protective laws at the hearings as well.


41. Cobble, Dishing It Out, 4–10.

42. Anne Draper to Andrew Biemiller, Don Slaiman, and Tom Harris, Carton 9, folder 294, Peterson Collection, 1910–84. The IAM is the International Association of Machinists.

43. Ibid.


45. Ibid. Federation lobbyist Andrew Biemiller was still trying to save women’s protective laws in 1970 but Draper thought it futile. See Anne Draper to Andrew Biemiller, January 16, 1970, Carton 9, folder 294, Peterson Collection, 1910–84.


47. Ibid., 13.

48. Ibid., 15; Andrew J. Biemiller to Emily Stoper, March 24, 1972, Box 17, folder 10, AFL-CIO Legislation Collection.


55. Cobble, Dishing It Out, 80, 158; Evans v. Sheraton Park Hotel, 5 FEP Cases, 503 F. 2d 177 (1974).

56. Cobble, Dishing It Out, 10.

57. Quoted in Cobble, Dishing It Out, 151. For a discussion of radical feminists’ misgivings about the ERA along similar lines, see Alice Echols, Daring to Be Bad: Radical Feminism in America, 1967–75 (Minneapolis, 1989), 200, 366 fn. 36.


60. Katherine P. Ellickson, interview with Dennis East, Detroit, January 10, 1976, Walter Reuther Archives of Labor and Urban Affairs, Wayne State University, Detroit. Ellickson claimed in this 1976 interview that she supported the ERA “not long after” 1967; in 1970, however, she called the ERA “vague high sounding but ineffectual.” See Typescript, Katherine P. Ellickson, Statement of the National Consumers League Before the Senate Judiciary Committee on the Equal Rights Amendment, September 10, 1970, Box 7, folder 15, Ellickson Collection, 1921–78.

61. Typescript, Esther Peterson, Address to the AFL-CIO National Auxiliaries Convention, December 11, 1967, Box 1, folder 2, Peterson Collection, 1910–84.


63. Irwin N. Gertzog, Congressional Women: Their Recruitment, Treatment, and Behavior (New York, 1984), 204.

64. Harrison, On Account of Sex, 206, 305 fn. 43.

65. Typescript, Elizabeth Duncan Koontz at Women’s Organizations Consultation meet-
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...ing on the 50th Anniversary of the Women's Bureau, February 26, 1970, Box 55, folder 22, AFL-CIO Legislation Collection. See also Graham, *Civil Rights Era*, 409; Hartmann, *From Margin to Mainstream*, 103 for background on the Department of Labor's position on the ERA in the late 1960s and early 1970s.


70. Hammerman and Rogoff, “Union Role,” 27.


76. Milkman, “Feminism and Labor since the 1960s,” 309.


78. CLUW News, Winter 1975, Box 13, folder 1, Coalition of Labor Union Women Collection, Walter Reuther Archives of Labor History and Urban Affairs, Wayne State University, Detroit, MI [hereafter, CLUW Collection].

79. Philadelphia *Inquirer* clipping, January 29, 1974, Box 1, folder 5, CLUW Collection.

80. CLUW News, Summer 1975, Box 13, folder 1, CLUW Collection.


82. See, for example, the charges that “union contracts don’t begin to protect women from discriminatory practices” (Memo, n.a., n.d. [1973–1974], Box 1, folder 16, CLUW Collection). CLUW dropped its official naming of unions as suspect parties in discrimination with employers in 1977 (see Typescript, Resolutions Passed, 1977 Convention, Box 11, folder 10, CLUW Collection).

83. Milkman, “Feminism and Labor since the 1960s,” 309.
