

Outlaw Unions, Illegal Strikes

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The 1970 wildcat postal strike quickly threatened to expand to other federal government workers, forcing the federal government to seriously negotiate with public workers for the first time.

Public sector workers had been organizing for more than 150 years, fighting poverty wages, unsafe working conditions, shakedowns by party bosses, and abusive treatment more generally. But even where their unions were not outlawed, the right to strike almost always was – and the government proved as vicious in fighting strikes as did any private sector boss. Aside from building trades workers, who carried their unions (and their working conditions) with them when they took public sector jobs, most early public sector labor organizations might be better described as associations than unions, offering insurance, lobbying and other benefits.

There were exceptions, including the Boston policemen, who struck in 1919 after union officials were suspended and threatened with firing if they did not dissolve the union. The largest teachers' union was formed as a loose federation that officially rejected strikes. More militant teachers' organizations, such as those in the Chicago Teachers Federation, which began organizing in the 1890s, scared the Board of Education so much that membership was made a fireable offense. Fed up with low wages, no job security and enormous class sizes, and inspired by a resurgent labor movement, teachers' unions conducted dozens of strikes in the 1940s, and have continued striking to the present day. Most of these strikes were illegal and hundreds of union leaders and strike activists were imprisoned, but by the 1970s most states were forced to tolerate teacher (and other public sector) unions, and many legalized strikes rather than suffer the indignity of workers successfully thumbing their noses at the law.

By the 1950s a handful of states, including Wisconsin (which more recently has imposed draconian restrictions) accepted collective bargaining. But the absence of such rights did not stop workers from organizing unions (California recognized public employee unions only in 1978, but rank-and-file unions had long had a strong presence) or from striking. The famous 1968 Memphis sanitation workers strike (Dr. Martin Luther King Jr. was assassinated while in Memphis to support the workers) was illegal and local officials long refused to recognize or negotiate with the union.

Even today, only 12 states recognize public employees' right to strike – just as many completely bar them from union recognition or collective bargaining. But workers have organized in every state, whether or not they have legal rights, and have won better conditions through their struggles. Some of the massive state-wide teachers strikes in recent years were in states that

officially ban collective bargaining (strikes were illegal in all but Colorado), and New York City transit workers struck in 1966, 1980 and again in 2005 despite a state law prohibiting strikes and providing for massive fines and imprisonment of union officials. (More than a thousand workers marched with TWU Local 100 President Roger Toussaint when he surrendered to serve three days in jail; the union was also fined \$2.5 million – far less than workers gained in the final contract.)

In 1970, U.S. postal workers belonged to eight separate craft unions, including the National Association of Letter Carriers, which lobbied Congress for better pay, assisted workers with grievances, and managed union benefit plans. There was no collective bargaining and strikes were illegal. A 1968 study reported “widespread disquiet” as a result of “antiquated personnel practices ... [and] appalling working conditions.” In New York City, high living costs had forced many postal workers onto welfare to supplement incomes eroded by surging inflation. There had been several small wildcats, such as a 1969 “sick-out” by 72 workers at the Kingsbridge Station in the Bronx. So when the Letter Carriers’ Bronx-Manhattan local voted to strike and set up picket lines around New York City post offices, 25,000 drivers and clerks joined the strike, shutting down postal operations in the city. The strike quickly spread to workers throughout New York state, New Jersey and Connecticut despite union statements discouraging strike action. The strike shut down New York’s financial industry, kept 9,000 people from receiving draft notices, delayed the mailing of census forms and tax refunds, and generally disrupted the country’s communications. By March 21, the strike had spread to more than 200 cities and towns across the country, including Chicago, Detroit, Philadelphia, Cleveland, Pittsburgh, San Francisco, Minneapolis, Denver and Boston.

Ultimately, more than 200,000 postal workers in 15 states joined the wildcat. Government and union officials moved quickly against the strike. The courts quickly issued an injunction against the New York strikers, and the head of the Letter Carriers said the union’s executive council was considering expelling the New York City local because of the strike. Chicago postal workers voted to strike the same day postal union leaders called upon workers to end the strike in exchange for a government promise to consider workers’ demands. The next day, New York City postal workers voted almost unanimously to defy the back-to-work agreement.

The government had to act, as the strike was on the verge of spreading to other government employees. The head of the American Federation of Government Employees reported that he had to intervene personally to prevent several strikes. National Federation of Federal Employees locals throughout the country indicated that they wanted to strike in support of the postal workers. The National Association of Government Employees similarly heard from union members across the country who wanted to strike, looking to the postal workers as examples. Injunctions and heavy fines were levied on union leaders; but the workers paid no attention. President Richard Nixon took time off from bombing Cambodia to dispatch 24,000 soldiers to distribute the mail in New York City, but they were ineffective. While Nixon insisted there would be no negotiations until workers abandoned the strike, Secretary of Labor William Uesery quietly began negotiations that brought the strike to an end.

Postal workers won improved conditions and a 6 percent wage increase retroactive to 1969, with another 8 percent to follow. But while the government agreed to collective bargaining, the Postal Reorganization Act passed in April 1970 continued the ban on postal strikes, instead providing for binding arbitration.

Following the strike, five unions representing postal clerks, mail processors, maintenance and motor vehicle workers merged into a new American Postal Workers Union, and several strike activists were elected to local and national union office.

This was the first nation-wide strike of government employees, and the first nation-wide strike in recent decades to be carried on not only independently of, but in opposition to, national union officials. The strikers did not play by the rules of the game. The risks they took were considerable. Striking against the government is a felony, punishable by a year and a day in jail and a \$1,000 fine.

The Great Postal Strike of 1970 was the moment they were “standing 10 feet tall instead of groveling in the dust,” as a Manhattan letter carrier put it. They got fed up, joined together, and transformed both the Postal Service and their own lives forever.

Sources: Jeremy Brecher, *Strike! (Revised edition)*, PM Press, 2014. Philip F. Rubio, *There’s Always Work at the Post Office: African American Postal Workers and the Fight for Jobs, Justice, and Equality*, University of North Carolina Press, 2010.

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