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# W O M E N A T W O R K

## A CENTURY OF INDUSTRIAL CHANGE



**UNITED STATES  
DEPARTMENT  
OF LABOR**

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This review of women's progress in American industry was written originally in 1933 by Eleanor Nelson, at that time on the staff of the division of public information of the Women's Bureau. The present thorough revision as of early 1939, with a few later references, is the work of Rebecca Farnham, also of the division of public information. The cover and all illustrations but that on page 73 were drawn by Jean W. Hill; the exception is the work of Carrie W. Ivie, of the Women's Bureau.

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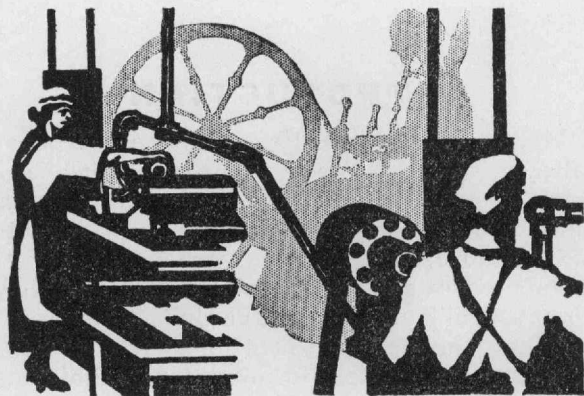
## INTRODUCTION

**W**OMEN were at work 100 years ago. Women have always worked. When this century opened it was within the home that most of them carried on the tasks of providing food, shelter, and clothing. From dawn to dark women spun, wove, sewed, cooked, and made butter, cheese, candles, and countless other everyday articles. Nowadays more than 10¼ million women in the United States are workers and most of them have jobs outside their homes. Wherever there is work to be done in our vast industrial system the hands and brains of women aid in doing it.

To tell the story of the changes that have taken place in women's work during the past 100 years is to tell the story of the industrial expansion of a nation. That women contribute their share to the economic maintenance of themselves or their families is not new. But the fact that women in increasing numbers have entered factory or store to work for pay is new. And it is new and characteristic of this century that the individuality of women's work, once expressed in delicately fashioned quilts, smoothly woven cloth, and well-cooked food, is lost in industry in the machine labor of making standardized products.

The invention of machines, the growth of a huge industrial system, the development of a vast frontier land, the duration of a Civil and a World War—an economic history of two centuries—all these are part of the story of working women. Running through it all, however, two factors in women's employment have been consistent—an oversupply of women for the jobs available, and lower wages for women than for men.





## THE COMING OF THE MACHINE

**I**NTO a world of gardening and raising sheep in the back yard, of grinding flour, of weaving cloth in the "front room," the first machines appeared during the late eighteenth and early nineteenth centuries. Manufacturers with enough capital to buy machines that were too expensive for individual workers to own began machine production for profit. This system was to revolutionize our whole manner of life.

Many of the earlier machines did work that had always been done by women at home—spinning, weaving, and sewing. Naturally, manufacturers looking for factory operatives turned to women. The change from home to factory work was neither sudden nor complete. While some women were at work in the early textile mills, in many industries only one or two jobs were done in factories at first. The rest of the product was made by the old hand processes at home.

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Indeed, women often combined their household duties with working for pay at home.

As the invention of machines went on and as factories grew in size and completeness, work became more and more concentrated. Instead of doing part-time work at home with their own makeshift equipment, women spent the entire day in the factories for wages.

Though the first women to enter factory employment were simply following their work from home to shop, this was only a small factor among the forces that were driving women into industrial employment.

The factory soon showed that it was able to turn out goods more rapidly, more cheaply, and more efficiently than they had ever been produced before. Steam and electricity succeeded water as the source of power. New machines were invented that took over the production of an ever-increasing variety of goods, and new products were created. Meanwhile, women turned to factory employment in growing numbers as it became possible to have a greater variety of possessions by working for wages than by producing articles on a handicraft basis.

The factories, located with a view to available power and future marketing, soon developed communities, and these attracted other workers in various lines of activity. As towns grew in size, many of the older household occupations became impossible. Sheep could not be raised; dairying could not be carried on; even large vegetable gardens could not be planted. But in factories there was a growing demand for labor to turn out increasing quantities of food, clothing, shoes, soap, and other articles. The housewife found it cheaper and easier to buy these things from the stores than to spend many hours making them at home. The work necessary to carry on household activities decreased. As a result,

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many women became surplus labor as far as their relation to the family was concerned. To these women factory work offered the means of supporting themselves and of continuing their contribution to the family income.

The movement was hastened by the fact that men's wages were not high enough to meet the needs and demands of the family. To secure a living for the family, the earnings of women were in many cases an actual necessity.

But the place taken by women in factories has been mainly in the unskilled and lower-paid jobs; the skilled and better-paid occupations have remained largely the stronghold of men. As the use of machines has progressed, the dividing of operations has increased tremendously the number of unskilled and low-paid jobs, and these have fallen to women much more than to men.

## WOMEN'S OCCUPATIONS IN 1930

In 1930 there were more than 1½ million women employed in factories. The majority were in their traditional industries—textiles, clothing, and food—but there were few industries in which no women worked. They had been welcomed in increasing numbers into the new rayon and electrical and the expanding rubber industries. For two decades they had been gaining on men in automobile and other metal industries, cigars and tobacco, clay, glass, and stone, besides leather and shoes, clothing, and food.

The machine changed the lives of many more women than actually went to work in factories. With mass production of goods, mass distribution became necessary. Goods must be sold to wholesalers and then to retailers. They must be transported from factory to warehouse to store. Thus the need of clerical workers and salespeople grew. With mass distribution came the widespread use of the telephone

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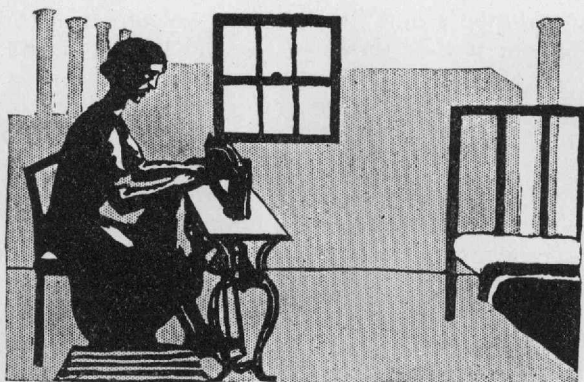
and soon women's deft fingers were welcomed at the telephone switchboard as they had been at the loom and typewriter. In 20 years the number of women in clerical occupations more than trebled, reaching nearly 2 million in 1930. The number of women in business and trade doubled, so that nearly 1 million were working as saleswomen or as dealers in 1930. The number of women telephone and telegraph operators trebled, reaching a quarter of a million.

As machine methods were found superior to home methods the number of laundry operatives doubled to 160,000. Likewise, as less eating was done at home and more in restaurants the number of waitresses almost trebled, reaching 232,000.

Further, as the leisure and wealth of the population increased, more opportunities were opened up in the professions and in domestic and personal service. The number of women servants rose to over 1 million. The number of professional women, especially trained nurses and teachers, more than doubled, to reach 1½ million.

Accompanying these great increases was a striking decline in the number of women employed in agriculture. With the movement of population from farm to city the number of women workers in agriculture decreased by several hundred thousand. There were great declines also in the numbers of home dressmakers, milliners, and laundresses.

Much of the increase in certain fields of employment probably was due to the growing proportions of women who were leaving home to seek work. In 1870, less than 15 percent of all women 16 years of age and over were bread winners. In 1930, 25 percent of such women—one in every four—worked for a living. Today, 1939, the proportion of women workers is believed to be still greater because of the large numbers of women who set out to look for work when their family breadwinners lost their jobs in the recent depression.



## LOW WAGES FOR WOMEN

**T**HE history of women in industry has been darkened by the low wages they have been paid. In an industrial system where the profits of the manufacturer depend on low production costs, the temptation has been to pay the lowest wages for which it is possible to obtain workers. Because there have been many thousands more women ready and eager to work than there have been jobs available, the woman worker has accepted jobs at almost any wage rather than be unemployed. This competition has been made keener and woman's bargaining power has been made weaker by the fact that the work she has been given to do could be done equally well by thousands of other untrained women.

Moreover, when woman first went into factories to work she was still thought of as a part of a family group whose main support came from the men of the household—father, husband, or brother. Her wages were looked upon as

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extra spending money, not as earnings on which she had to depend for her support. This idea still prevails with many employers and has had much to do with keeping women's wages at a level below that of men's wages, and even below the cost of living.

## WHY WOMEN MUST WORK

Whatever excuse there may have been in the past for the idea that women worked chiefly for pin money, today the wages of most women are as necessary as the wages of most men. Usually women must depend on their wages for their own support and often they are responsible as well for the entire or partial support of others. Because sons leave home more than daughters do, girls are more likely than boys to assume the financial responsibility of the home.

More than half of all women workers are single (according to 1930 Census figures), but uncounted numbers have others to think of besides themselves—they are helping to support aged parents or young brothers and sisters. The large number of women workers who are widowed or divorced (about 17 in every 100 employed women in 1930) and those separated from their husbands, legally or by desertion, are in many cases responsible for the support of their children. Of the married women workers living with their husbands, a not inconsiderable number are the major breadwinners of their households owing to the fact that their husbands are unemployed, many of them disabled for work.

Less than 30 percent of all women workers are married. The very occupations at which most of these women are employed—domestic and personal service, agriculture, factory labor—indicate that usually they are working from dire necessity, because their husbands are disabled or can-



## WOMEN AT WORK

not find jobs. For that group whose husbands are working, the wife's earnings are usually a very poor supplement to the family income and one that should not be necessary. It is unfortunate, but true, that in most cases these wives work because their husbands' wages are too low to shelter, feed, and clothe the family at a reasonable standard of decency.

Even at the peak of prosperity in 1929 the average family in America had only about three-fourths of the income necessary to provide the minimum of adequate living. Of city wage-earners' families not on relief in 1935-36, only two-thirds had enough income to meet minimum living requirements. In 1935-36, according to the National Resources Committee, 27 in every 100 families in the United States had less than \$750 a year to live on, and 42 in 100 had less than \$1,000. Only 35 in every 100 families had as much as \$1,500. With earnings so inadequate, more and more members of such households must seek employment, accepting any wage that will help to build up the family income to a decent level.

It is largely because of the inadequacy of men's earnings in modern times, when most workers have no land nor home industry to supplement wages, that the proportion of married women workers increased from 13.9 percent of all women workers in 1890 to 28.9 percent of all in 1930.

## WAGES BELOW LIVING COSTS

Whereas a man's wages usually are too low to support a family, a woman's wages usually are inadequate even for her own support and they are doubly or trebly inadequate when she has dependents. Cost-of-living studies made in various parts of the country indicate that a woman living alone needs from \$18 to \$23 a week to support herself in

## LOW WAGES FOR WOMEN

health and decency. The amount is not much less if she lives with a family. Yet it was found by the National Industrial Conference Board in September 1938 that women's wages in 25 manufacturing industries averaged only \$16.22 a week for more than 34 hours' work.

Much lower figures were found for certain industries by the Women's Bureau in March 1938 in leading industrial States (and even these figures probably exceed the average wage level, because they are based on data from the larger and better-organized firms). When women averaged at least 36 hours of work a week, their average wages were less than \$13 in cotton dresses, less than \$14 in laundries and dyeing and cleaning, less than \$15 in boots and shoes, and less than \$16 in bakery products, cotton small wares, and drug preparations.

Short time brought earnings still lower in other industries. They averaged \$11 in cotton goods and knit cloth with a 30-hour week; and \$12 in knit underwear, men's cotton garments and work clothing, and shirts and collars, with workweeks averaging 29 to 32 hours. Between \$12 and \$14 were the average weekly earnings in silk and rayon, candy, men's furnishings, radios and phonographs, paper boxes, cigars and cigarettes, and glass manufacture. Women worked an average of 30 to 34 hours a week for these wages.

Particularly low earnings are found in certain manufacturing industries. One out of four of the women in knit-underwear factories in 1937 received less than \$10 a week. The same was true of one out of three in seamless hosiery and men's work clothing and one out of two in work shirts. One out of five candy workers in a northern State earned less than \$8.

Lower still, of course, are the wages of the 2 million women workers on farms and in domestic and personal service.



## WOMEN AT WORK

As for white collar workers, most of them, particularly in offices and stores, cannot expect much greater earnings than factory workers.

Compare today's wages with those of 100 or even 75 years ago and it would appear that great advances have been made. A century ago, it is estimated, women's earnings in all branches of business averaged less than 37½ cents for a day of 12 or more hours. Men at that time earned about \$1.50 a day. Even lower wages were reported for women in New York during the Civil War period, when they were paid \$2 a week or about 33 cents for a day of 11 to 16 hours.

But though wages have increased in the century, so has the cost of living. Some idea of how inadequate women's wages are today may be had by comparing the New York average weekly wage of about \$17 for women factory and laundry workers in 1937 with the cost of an adequate minimum budget for a girl or woman living alone in New York State in that year. This cost was found to be \$22.93 a week, the average figure obtained by the State department of labor after pricing in representative cities and towns of the State all the items considered essential for adequate maintenance and protection of health. For rent, food, and clothing alone the cost was \$15.66; in other words, the average working woman in New York in 1937 had only \$1.34 left each week after she had paid for her room rent, food, and clothing. Even if she lived with others she needed a wage of \$13.15 a week for these first essentials, which left her only \$3.85 a week for savings and insurance; vacations; doctor and dentist; laundry and clothing repair; carfare; education and recreation; and a hundred and one other demands.

Recent studies show that a girl living alone in Connecticut needs between \$18 and \$20 a week; in Colorado she

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needs \$18.77 if she eats in restaurants and \$17.31 if she cooks her own meals. In Utah her cost of living is \$17.77; in Arizona \$19.85; in Pennsylvania \$21.05; in the District of Columbia \$21.51; in New Jersey \$22.07; and in New York it is as much as \$22.93.

### **WOMEN'S WAGES LOWER THAN MEN'S**

Women's low wages cause suffering to them and their dependents. This is bad enough, but perhaps worse still is the effect such a wage level has on men's wage standards and on the whole standard of living of the country. A lower wage level for one group of workers always threatens to undermine the standards of the group with the higher wage level. The effect is the same whether the wage differential is between localities, races, or sexes.

The sex differential in this country is very marked. Figures collected in Illinois, New York, and Ohio from 1923 or 1924 to 1935 or 1936 show that throughout the period in all three States women's average weekly earnings in manufacturing were only from 52 to 63 percent of those of men.

Consistently lower earnings for women than for men are found in clerical, trade, and domestic-service occupations, and even in professional service.

Though it is true that the difference between men's and women's wages may be explained usually by the difference in the character of their work, the very fact that women are confined to the less skilled and hence the lower-paid jobs in an industry is in line with a tendency of employers to use women as a low-paid reserve, always threatening to undermine men's wage standards. This is clear from the fact that, even when women work at the same jobs, as a rule they receive less pay than men.

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And so a vicious circle is set up. Unemployment or low wages of men make it necessary for their wives, mothers, and daughters to go to work. But the even lower wages that women accept under this necessity cause employers to consider ways in which they can employ more women and fewer men, by introducing machinery that will reduce the amount of skill required of the worker. As more men are discharged, more women are forced to enter the market. Those women who have jobs feel that they must hold on to them at any wage if they do not want to lose them to the great reserve force of women waiting at the factory gate. Faced with this constant threat to their jobs, largely unorganized, practically unskilled, and victims of a tradition that places less value on women's work than on men's, women workers have been able to do little toward removing the unfair differentials that exist both to their disadvantage and to that of men workers.

### SWEATSHOP AND HOME-WORK WAGES

Even the usual factory wages are not low enough to suit all employers. To get an advantage over their competitors, some manufacturers move to out-of-the-way communities, where legal safeguards are lacking or not enforced, and establish a "sweatshop." Or they send work out to be done in homes where the worker must pay for the rent, heat, and light. These practices increase in depression periods when workers can be induced to work for any price, and usually it is women who are the victims.

A sweatshop generally is thought of as a small factory working at standards far below average in the industry, combining the lowest wages with the longest hours and the poorest working conditions. At one time the typical sweatshop was a clothing factory in a New York tenement, oper-

## LOW WAGES FOR WOMEN

ated for the manufacturer by a contractor. Today the organized garment workers of New York have practically done away with such conditions, but sweatshops are still to be found hidden away in small towns or other places where manufacturers think they can escape unions and labor laws.

It is in rural areas or city slums that industrial home work flourishes. Women with little or no industrial experience, isolated from other workers, and hence with little idea of the true value of their labor, toil endless hours in their homes under the poor light that they can afford, making or finishing garments, knitting or embroidering, carding buttons or pins, making toys, garters, cheap jewelry, lamp shades, flowers, powder puffs, etc. These women may have to put in 12 or 14 hours of work, by day and night, just as women did in the past century, and their week's earnings are likely to be as little as the \$2 of 100 years ago.

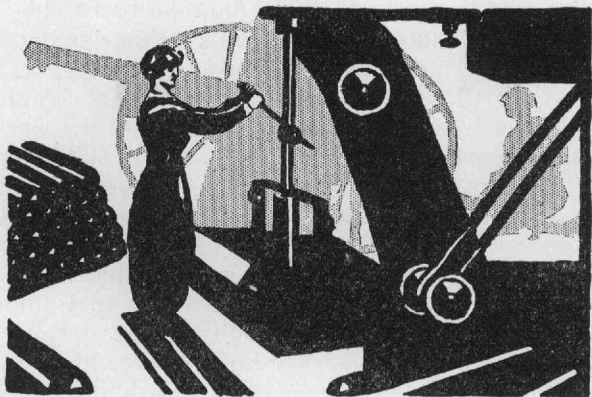
Federal and State Governments, together with good employers and organized workers, have recently been attempting to end such shameful conditions as substandard wages, sex differentials, sweatshops, and industrial home work. The Federal Government in the Fair Labor Standards Act of 1938 established minimum wages in interstate industries, whether the work is performed in factory or at home. The Walsh-Healey Public Contracts Act of 1936 regulates the wages and hours of employees on Government contracts of a specified amount, and outlaws industrial home work on such contracts. In both these acts the Federal Government provides equal pay for men and women doing the same work. In addition, 26 States (including Maine, with a law for the fish-packing and fish-processing industry only), the District of Columbia, Alaska, and Puerto Rico have passed minimum-wage laws for women, and 17 States have laws regulating or prohibiting industrial home work.

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No law has been devised, however, to prevent the indirect wage-cut resulting from the speed-up or stretch-out, that is, the practice of increasing the amount of work that must be performed in a given period of time. As new systems are devised for increasing the work load without increasing the hourly rate, workers have only their unions or an awakened public conscience to save them from the strain and over-fatigue that such speed-up systems can cause.

Since 1936 organized labor has reached out into more and more woman-employing industries and won agreements that provide higher wages for women. Some unions have insisted upon "equal pay for equal work."

So long as the workers, who largely make up the buying power of the Nation, are not paid sufficient wages to buy back the goods they produce, our industrial system based on production for profit cannot operate successfully, and periodic depressions with widespread suffering are the inevitable result.



## WOMEN WORKERS IN WARTIME

**T**HE entrance of women into wage-earning occupations was tremendously speeded up by the Civil War and the World War. With the departure of men for the front, women moved into their places in factories and offices. The Nation's work and the new industries created by the war had to be carried on, and women were given the chance to enter trades and occupations never before open to them.

Of the role that women played during the World War we have a dramatic picture. The war itself wrenched the whole industrial machine. In the quick shift from peace to war status women as well as men were rapidly absorbed by the iron and steel mills, metal factories and foundries; they were practically drafted to make munitions and other war supplies. Aerial warfare created a new industry, in which women were indispensable, and it expanded the industries that made the materials necessary for aircraft manufacture.



## **WOMEN AT WORK**

Meanwhile the army of 4,000,000 men had to be fed and clothed, and in addition the Nation's industries had to continue to supply the needs of the people at home.

In the wartime crisis women's industrial employment took two new and definite paths: First, into the war munitions industries, where high wages were being paid and where a greater degree of skill was required, went large numbers of women already trained in industry; throughout the war employers testified to the greater value of the women with previous experience in factories. Second, as the drafts took more men to the front, another class of women went into the old woman-employing manufactures; of these, many had previously been at work in agriculture, in domestic or personal service, or had never before worked for pay.

As a special emergency measure, under the war-labor administration in Washington, there was set up in 1918 a Woman in Industry Service, whose duty it was to set standards for the employment of women in war work. Such an agency had long been the desire of progressive people interested in women workers, but not until the war focused the attention of the public on the importance of women's work was it achieved.

### **NEW JOB OPPORTUNITIES OPENED**

The labor shortage created by the war gave more women than ever before in the history of the country the opportunity to enter factory work. By throwing open to them the iron and steel mills, sheet-metal plants, lumber mills, chemical, automobile, and electrical-supply factories, it broadened their industrial horizon.

Many of these war jobs for women, it is true, were of a monotonous, unskilled type, such as tending automatic machines, or turning out, assembling, or inspecting dupli-

## **WOMEN WORKERS IN WARTIME**

cated parts, hundreds of thousands a day, at great speed. But the shortage of labor also cleared the way to many of the skilled occupations and key positions in industry. In the iron and steel mills and other metal industries, for example, it opened to women the machine shop and the tool room. In other industries, too, women were given work requiring judgment, skill, and precision.

Moreover, the experience of women even in the war-supply industries was to be of peace time value to them. For in factories making shells, guns, and other munitions women were handling the same kinds of machines and tools as were used by the women who made automobiles, motorcycles, electrical apparatus, and agricultural implements. In the furniture and veneer factories the same kind of work went into peace products as went into airplane parts, munitions and tool boxes, or wheels for artillery trucks.

The wartime increase among women workers was not limited to the factories. Thousands more women than ever before became nurses, both at home and overseas. From 1910 to 1920 women school teachers increased in numbers by one-third. The number of women telegraph operators doubled. The entrance of women into office work as stenographers and typists, clerks, and bookkeepers and cashiers was spectacular, their numbers increasing by over 800,000. With the surge of women into the newer occupations during the war period came a large decrease in two of their old lines of work—agriculture and domestic and personal service.

## **GAINS FROM WAR EXPERIENCE**

Would women remain as workers when the war ended? Many people thought this question would be answered by the return of women to their homes or their old occupations.



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And large numbers must have returned to their old occupations. But we know that by 1930 there were 2½ million more women at work than when the 1920 census was taken, immediately after the war.

While some of the most dramatic features of women's war work have disappeared, the field of their employment has been widely and permanently expanded. The woman streetcar conductor has practically vanished. Women in overalls turning out shells and guns are, happily, a thing of the past, but from 1920 to 1930 the number of women operatives in plants making electrical machinery, apparatus, and supplies increased by 18,000, the number in plants making chemicals and allied products by 9,700, and the number in automobile factories by more than 6,000.

The war proved that women could do work that no one had ever believed they could do. But it did more. Their substitution for men in carrying through a national emergency broke down many prejudices against their working and changed ideas as to the types of work they should do. What women could do properly and do well in wartime became easier for them to do in a time of peace.

Among the permanent wartime gains made by women workers is the Women's Bureau of the United States Department of Labor, which grew out of the Woman in Industry Service of the war labor administration. The function of the Women's Bureau is to "formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment."

The Bureau investigates and reports to the Department all matters relating to the employment of women in industry. It is a fact-finding agency whose duty it is to study

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the problems and conditions of women workers, to decide by scientific research and investigation the best standards for their employment, and to make public its findings and conclusions. Its research bulletins and other published material on women's working conditions are used by legislators, labor unions, employers, and economists as a guide in obtaining better standards of employment for women.



## THE OPENING OF OPPORTUNITIES

**T**HE change from hand to machine manufacture not only revolutionized woman's economic place in society but made profound changes in her social status. Many customs and prejudices were based on the fact that, in the old days, women's work was that of providing food, shelter, and clothing for the family within the home. Social standards for the behavior of women in regard to work were limited to the household duties of wife and mother. For these duties education was not considered necessary, and a century ago only a single college, Oberlin, in Ohio, was open to women. Affairs outside their homes were not considered the concern of women. They were not allowed to vote and could take no part in legislative matters.

Against this social code came the impact of the machine. As soon as women entered factory employment their social horizon was immeasurably broadened. At once they had

## THE OPENING OF OPPORTUNITIES

to work under circumstances over which they had no control. If hours were too long or conditions too hard, their only remedy lay in organizing and bringing their case to the attention of the employer through collective bargaining or the strike, or to the attention of the public through campaigns for corrective labor legislation. But both these courses involved meetings, speaking on platforms, and parading—activities that were not only unusual but absolutely scandalous for women of their day.

Meanwhile, as the wage-earning woman became an accepted part of our industrial life, it was natural that the more intelligent and ambitious women should turn toward the professions and the opportunities of education. Many of these women were not wage earners but had been freed by machine production from long hours of work within the home, and with more leisure were becoming actively interested in the events of the day.

Even here tradition and prejudice stood in woman's way—insisting that her place was in the home, and not in college, on the lecture platform, or in public life.

During the century women have carried on a struggle to break down these prejudices. The scenes and issues of the feminist movement have varied, but the driving force behind the movement has been unaltered. It has been an effort on the part of women to adjust public opinion to their changed economic status; an effort to have equal opportunities with men in making a contribution to society outside the home, whether in industry, in the professions, or in public life. Though aided in their fight by the economic forces that were driving them, and by social changes that did much to break down old traditions, the gains that women have made have been the result of hard-won battles against hostile and bitter public opinion.

## WOMEN AT WORK

### WOMEN EMERGE INTO PUBLIC LIFE

The struggle began simply with women's attempt to organize, hold meetings, and speak on the lecture platform for whatever cause they were interested in. But that women should speak or appear on a platform, whether to improve working conditions, to protest against slavery, or to fight for temperance, was a cause of extreme public indignation. In 1837 Independence Hall in Philadelphia was set on fire while Angelina Grimke was speaking, the mob incensed partly because the speaker was a woman and partly because she spoke against slavery. Persisting in the face of this hostile public opinion, the early women speakers were shamed and ridiculed not only by men but by their sisters.

The fight of women went on, soon centering around the struggle to obtain the vote, since this would help in the adjusting of other wrongs. The first public meeting to discuss the political rights of women was held in Seneca Falls, N. Y., in 1848, but the suffrage fight began in earnest with the forming of the National Woman Suffrage Association in 1869, which elected Elizabeth Cady Stanton as president and Susan B. Anthony as chairman of the executive committee. In 1878 the first suffrage amendment was introduced into the United States House of Representatives and its wording was never changed from that time until it was passed and made into a law that enfranchised women in 1920. The closing scenes of the fight for suffrage were dramatic. Mass meetings were held throughout the country, accompanied by spectacular street parades. A pilgrimage was made to Washington, and women suffragists picketing with banners in the Nation's Capital were arrested and carried off in the "Black Maria" to the police station.

## **THE OPENING OF OPPORTUNITIES COLLEGES OPENED TO WOMEN**

The success of the feminist movement can be measured in more terms than the obtaining of the vote, important as was that step. It can be measured in the opening of educational opportunities to women and in their occupational advancement.

When Oberlin College was established in 1833 on a coeducational plan it was the first school in the world to offer a college education to women. In 1848 Dr. Elizabeth Blackwell was graduated in medicine at Geneva, N. Y., the first woman physician in the world. During her 3 years of study the women at her boarding house refused to speak to her, and meeting her on the streets drew aside their skirts in contempt.

Today many women's colleges of the highest standing have been established. State universities and law and medical schools have opened their doors to women. During the decade 1920 to 1930 the number of professional women increased by 48 percent, reaching a total of more than 1,400,000, only 50,000 short of the number of professional men. Three-fifths of the professional women are school teachers and another fifth are trained nurses, the latter an occupation entered by many women in the World War. But the numbers of women college presidents and professors; librarians; authors, editors, and reporters; and lawyers and judges—professions more recently opened to women—practically doubled from 1920 to 1930 and represent real occupational gains for women.

## **WOMEN IN GOVERNMENT SERVICE**

Nowhere perhaps has the advancement of women been better shown than in the service of the United States Gov-



## WOMEN AT WORK

ernment. Here one of the few women employed before the Civil War was Clara Barton, who in the early fifties worked in the Patent Office. She was dismissed because of her outspokenness in denouncing slavery. In 1862 the Treasurer of the United States, Gen. Francis E. Spinner, appointed Jennie Douglas to cut and trim paper currency, work then done by hand and entirely by men. Spinner later remarked that Miss Douglas' first day's work "settled the matter in her behalf and in woman's favor." Shortly after, women were introduced into the dead-letter office of the Postal Service, where they opened and returned letters, soon doubling men's output. Many years passed, however, and much legislation had to be enacted sanctioning women's employment before it was made compulsory in 1919 that all competitive examinations should be open to women and men alike. From then on women became a really important factor in the Government service. In 1923 the Classification Act provided, for the Federal Departments in Washington, that men and women should be paid the same rates for the same work.

Today men still outnumber women on Uncle Sam's pay roll, and prejudice still stands in the way of appointments and promotions being made solely on the basis of fitness for the job. In December 1932 an Executive Order of President Hoover stipulated that appointing officers could no longer specify either sex as preferred, and that appointments must go to the persons highest on the register unless the work actually was unsuited to their sex. This order failed to further women's opportunities for employment, and it was later rescinded.

In 1932 Section 213 of the Economy Act became law and operated for a time as another factor to retard women's progress in public service. Section 213 required that in making

## THE OPENING OF OPPORTUNITIES

lay-offs in Federal employment, those persons who had husband or wife also employed in the Government should be the first to go. In practice this law worked to the disadvantage of low-paid women in the Government service. When it was a choice of giving up either a husband's or a wife's salary, naturally in most instances the family preferred to do without the woman's smaller earnings. Women's organizations and unions of Government employees led a campaign for the repeal of Section 213 and in 1937 it was removed from the statute books. But the 5-year existence of this section had set a precedent that persisted in some Government departments, making it difficult for married women to get jobs. Though it was shown that much injustice and little if any economy resulted from Section 213, in a number of States and localities campaigns still are conducted against the employment of married women in public service.<sup>1</sup> Where such a policy is established, it inevitably works to the disadvantage of all women workers, married or single.

In June 1938 about 166,000 women, in contrast to 686,000 men, were on the Federal pay roll. Stenographers and clerks made up the great majority of these women, but many held professional positions, such as librarian, scientist, economist, business or medical specialist, legal assistant, and many others held important administrative and executive positions.

## WOMEN IN POLITICAL POSTS

The change in public attitude toward women's abilities is reflected in the number of women in public life today. With the appointment of Frances Perkins as Secretary of Labor, for the first time in history a woman is serving as a member

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<sup>1</sup> As this bulletin is in press, word comes that the Supreme Court of Massachusetts has declared such discrimination unconstitutional.



## WOMEN AT WORK

of the Cabinet. Ruth Bryan Owen, minister to Denmark from 1933 to 1936, was the first woman to represent the United States at a foreign court. Another historic landmark was passed in November 1932, when Hattie W. Caraway was elected to the United States Senate by the State of Arkansas.

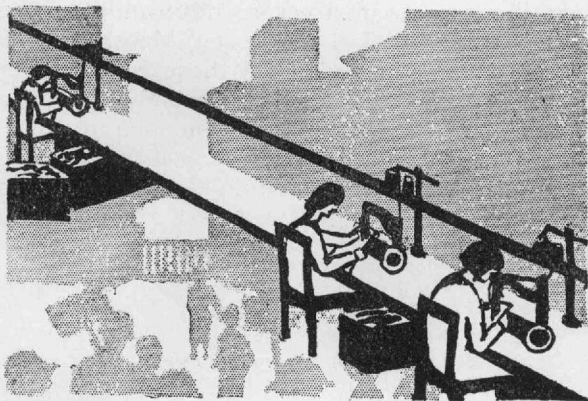
In 1938 there were six women in the United States Congress, including Senator Caraway and five Representatives. Florence J. Harriman was serving as Minister to Norway. Two women judges, Florence E. Allen and Genevieve R. Cline, were presiding over Federal courts, and one woman was serving as a United States consul. In the States 140 women were representing the people in the legislative halls. Many more women had posts in city or town governments and a very considerable number held county offices.

In 1939 there were 5 women in the Congress, and in the State legislatures there were 127. The number of States with women legislators was 9 less than in 1938.

This apparent setback represents a trend over the past decade. The decline in number of women in elective offices since 1929 probably reflects in part a subsiding from the first flush of enthusiasm that followed the granting of suffrage to women.

The elections of 1938 were marked by the placing in office of the first Negro woman legislator, Crystal Bird Fauset, who in her triumph at the Philadelphia polls in November 1938 overcame the double handicap of sex and race.

Many inequalities remain. For example, in only 24 States can women serve on juries. But while woman today still has a footing far from equal with that of man, whether in industry, in the professions, or in government, intelligent and well-directed effort has advanced her a long way toward her goal of standing side by side with him as citizen and worker.



## FIGHT FOR BETTER CONDITIONS

**T**HROUGHOUT our industrial history low wages and long hours have been used too frequently by employers in their efforts to increase profits. For this reason workers have been forced into labor unions to protect themselves. United by their mutual desire to improve their laboring conditions, workers in a trade or industry have joined together in organizations, and through collective bargaining and the strike have fought for higher wages, shorter hours, and better working conditions.

Women early became active in the labor movement. In 1825 the tailoresses of New York formed a union and struck for higher wages, but the first known strike of women in this country occurred in 1824 at Pawtucket, R. I., when "female weavers" struck with the men against a reduction of wages and an increase in hours. Throughout the thirties there were

## WOMEN AT WORK

strikes of tailoresses, seamstresses, cotton-mill workers, and other groups in New York, New Jersey, Massachusetts, and elsewhere. The most dramatic of these early strikes was that of the Lowell, Mass., cotton-mill women in 1834, when at the signal of a waved poke bonnet they marched out 2,000 strong in protest against a wage cut of from 12 to 25 percent. On the second day of the strike they issued a proclamation closing with these lines:

Let oppression shrug her shoulders  
And a haughty tyrant frown,  
And little upstart Ignorance  
In mockery look down.  
Yet I value not the feeble threats  
Of Tories in disguise,  
While the flag of Independence  
O'er our noble Nation flies.

During the forties and fifties, women's organization was most effective in labor-reform associations of Lowell and Fall River, Mass., Manchester and Dover, N. H., and New York and Philadelphia. These associations, composed chiefly of textile-mill girls, also included capmakers, shoemakers, tailoresses, and seamstresses. Though somewhat humanitarian in spirit and laying special stress on educational activities, through strikes they were able to raise wages and shorten the workday, and they carried on successful agitation for protective legislation. Outstanding here was the Lowell Female Labor Reform Association, which under the leadership of Sarah Bagley secured the signatures of thousands of factory operatives, petitioning the legislature for a 10-hour day. In the first Government labor investigation in this country it sent delegates to urge the question before a legislative committee in the statehouse at Boston in 1845.

## FIGHT FOR BETTER CONDITIONS

### WOMEN ENTER ESTABLISHED UNIONS

All this time women generally were organized separately from men. During the next 20 years this continued to be the case, as women formed their own local unions of the various trades. Laundresses, capmakers, printers, burnishers, textile workers, umbrella sewers, seamstresses, tailoresses, shoe workers, and cigar makers were so organized. In 1869 women boasted their first national organization—the Daughters of St. Crispin, a union of women shoe workers comprising two or three dozen local lodges scattered across the country from Maine to California. In 1867 women cigar makers were admitted to the cigar makers' union, which up to then had consisted only of men, and in 1869 women printers were admitted for the first time to the typographical union.

Not until the organization of the Knights of Labor, however, which dominated the trade-union scene through the eighties and nineties, was any real effort made to encourage the organization of women on an equal footing and with equal power with men. By then the necessity of organizing women workers had come to be recognized by men unionists. With division of labor, women who traditionally worked for low wages were coming into industry in growing numbers. Men unionists were forced to realize that as long as manufacturers could turn to a cheap supply of women laborers, who could be used to displace them or to break strikes, their own security was threatened. Even more complicating was the fact that recent invaders were their own wives, sisters, and daughters. Clearly, an injury to one was the concern of all. In the preamble to its constitution, adopted in January 1878, one of the principal objects of the Knights was stated to be, "To secure for both sexes equal pay for equal work." It was not until 1881 that women definitely

## **WOMEN AT WORK**

were admitted to the union. By 1886 the number of women members was estimated at about 50,000, but from then on a steady decline occurred as the Knights of Labor waned in influence.

From the disruption of the Knights of Labor (about 1890) until 1936 the history of women in trade unions in the United States was largely the history of women in the various national organizations or local unions affiliated with the American Federation of Labor, organized in 1881. This body early put itself on record as recognizing the advisability—in fact, the necessity—of organizing women, and in 1890 the first woman delegate was sent to the national convention of the Federation from the clerks' union in Findlay, Ohio.

### **NATIONAL WOMEN'S TRADE UNION LEAGUE**

To assist in organizing women into unions, the National Women's Trade Union League was formed in 1903. Patterned on the Women's Trade Union League of Great Britain, its purpose was to unite in one national organization working women, whether already in unions or not, together with sympathizers of the movement outside the actual labor ranks.

The first large strike in which the league took part was that of the Ladies' Waist Makers Union in New York City in 1909, involving 30,000 or more women. From every waist-making factory in New York and Brooklyn girls poured forth, until 75 percent of all workers in the trade had answered the call. During the first 2 weeks from 1,000 to 1,500 women a day joined the strikers.

Besides taking part in specific labor struggles, the league, because its membership has included many influential women outside the actual labor ranks, has been able to publicize

## **FIGHT FOR BETTER CONDITIONS**

trade-union fights and to draw on the active support and cooperation of women's organizations. When organization has seemed too slow to free women from intolerable working conditions, the league has fought for legislation for their protection. It has aided much in bringing to women workers the realization that the suffrage movement was part of their struggle and that in the vote they have a valuable tool with which to better their condition.

Outstanding accomplishments of the league outside the field of organizing have been the following: To ask for the Federal inquiry, authorized by the Congress in 1907, into the condition of woman and child wage earners; to lead in the endeavor to establish within the Department of Labor a women's division under a woman chief; to urge the importance of declaring standards for women's work in wartime; to send two of its members to the Peace Conference at Versailles to present its reconstruction program; backed by the working women of Great Britain and France, to call the first International Congress of Working Women; and to support strongly the movement for workers' education and training.

Today the National Women's Trade Union League and its local branches have an important function in serving as a unifying force among the various unions to which its members belong. The league has helped also to consolidate the great gains made in the organization of women since 1933.

## **GROWTH OF UNIONS DURING N. R. A.**

The National Industrial Recovery Act of 1933 was passed at a time when labor organization was at a low ebb because of the 3½ years of severe depression. As the wheels of industry were set moving again, workers rushed to join



## WOMEN AT WORK

trade unions. The depression had taught them that without strong organization they were helpless in the face of wage cuts, lengthened hours, and unemployment. Also, they were given courage to organize by Section 7(a) of the N. I. R. A., which gave workers a Federal guarantee of the right to collective bargaining. The N. R. A.<sup>2</sup> codes further stimulated workers to join unions. They saw that employers' associations were well represented at code hearings, whereas the workers' side of the story was often inadequately presented in industries which were not well organized.

In 1933 and 1934, to protect the standards won under the N. R. A., workers engaged in tremendous strikes, including the San Francisco general strike, the dress strike, and the great textile strike of 1934, in which women took a prominent part. About 285,000 women went on strike in 1933 and 328,000 in 1934, according to estimates of the Bureau of Labor Statistics, as compared with less than 60,000 in any of the 6 years immediately preceding. For the first time workers in important mass-production industries, including rubber and automobiles, began to organize. Women were becoming increasingly important here, as well as in radio and light metal industries where also unions were rapidly formed. Unfortunately, many of these new unions were company-dominated and proved useless in winning better conditions for the workers.

By 1935, however, at the end of the N. R. A. period, nearly two-thirds of the workers in men's and women's clothing were under union contracts. So were between one-fourth and one-half of the workers in hosiery and boots and shoes. The extent of collective bargaining in these and other key industries had doubled in 2 years' time.

<sup>2</sup> National Recovery Administration.

## **FIGHT FOR BETTER CONDITIONS**

After the N. R. A. ceased to operate, many of the gains made during the previous 2 years were lost temporarily. New unions fell apart and new membership gains in the old unions were lost. With them went many of the standards that had existed under the N. R. A. Hours were lengthened, wages were lowered, child labor again was on the upgrade. But the workers and the people as a whole had had a taste of what conditions might be if government and organized labor worked together to raise working standards. In 1936 there began new organizational campaigns and a new series of governmental labor measures that led in 1937 and 1938 to an expansion of collective bargaining unequaled in the history of the United States.

## **1936 BEGINS NEW ERA FOR LABOR**

In November 1935 a movement was begun to organize the mass-production industries on industrial lines, as opposed to the craft lines formerly in general favor; that is, to organize all workers in such industries as automobiles, steel, rubber, and textiles into one big union for each industry, instead of having machinists in one union, weavers in another, bookkeepers in another, cleaners in another, and so on. In the organizational campaign beginning in 1936, special appeals were made to the unskilled, semiskilled, and white-collar workers, groups in whose ranks the greatest numbers of women workers are to be found, and women in increasing numbers were brought into unions.

The organizational drives were stimulated in April 1937 by the decision of the United States Supreme Court upholding the constitutionality of the National Labor Relations Act of 1935. This act guaranteed workers the right to organize and bargain collectively through unions of their own choice, but it was much stronger than Section 7(a) of



## WOMEN AT WORK

the National Industrial Recovery Act which had made the same guarantee. For example, the setting up of company unions to represent workers, as was done in the days of N. R. A., was made illegal. Those employers who did not like the new act, and who had ignored it pending a decision on its constitutionality, had to abide by it, now that it was declared the law of the land, and recognize the workers' own unions. Thus the workers not only were given courage to organize, as they had been under the N. R. A., but were assured of help through the National Labor Relations Board in establishing strong effective unions free of outside influence. Another barrier that had held women back from organization was broken down.

No figure even approximating the number of women organized in this drive is available. Automobiles, steel, rubber, and textiles were organized; electrical, radio, metal, and chemical industries; hotel and restaurant workers, bakery and confectionery workers, and retail clerks; these and clothing workers continued to make gains throughout the period.

Under various auspices nonfactory workers were organized during the 1936-38 period as they had never been before. Office and professional workers had seen in the depression years that their white collars were no protection against wage cuts and unemployment and that it was as necessary for them to band together to protect their interests as it was for manual workers.

Laundry workers, sugar-beet toppers, nut pickers, tobacco stemmers, shellfish workers, and many other low-paid groups gained the courage to form unions. Even household employees got together here and there in little independent groups, resolved to end the long hours, low pay, and lack of standards endured by the "servant in the

## **FIGHT FOR BETTER CONDITION**

house." The unemployed and the W. P. A. workers, far from being left out of this picture, formed one of the strongest labor organizations in the country, which was able to voice effectively the great need of the unemployed for jobs and relief.

The union organizational drive was accompanied by many strikes, in which women played their part. In the huge struggles in rubber, automobiles, and steel in 1936 and 1937, either as strikers themselves or as the wives and daughters of strikers, women picketed, helped in "sit-downs," provided relief kitchens. Again they were prominent in the strikes of radio, silk, shoe, hosiery, chain-store, department-store, hotel, and other workers in the years from 1936 into 1939.

## **WOMEN'S GAINS FROM ORGANIZATION**

What have women gained in this fight for better conditions? Shorter hours, for one thing. In a large part of the women's garment industry they have won the 35-hour 5-day week. Rarely now do organized factory workers have to work more than 40 hours a week for a full week's pay. Again, through unions women have raised their wages or resisted wage cuts as they were unable to do before. They have won additional rest periods, vacations with pay, a guaranty of so much work per day, week, or year, and security through seniority rights.

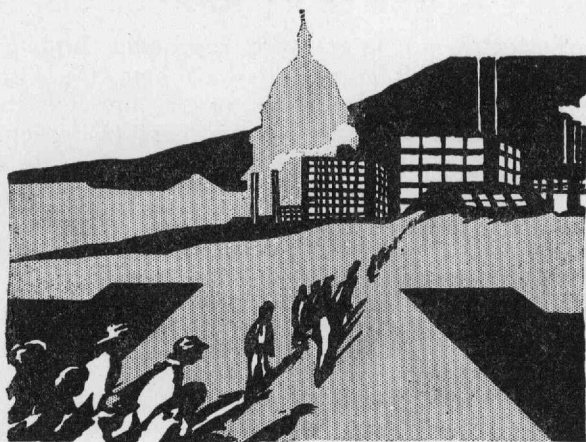
Some unions have been able to go beyond job questions and have helped their members to solve other living problems. The International Ladies' Garment Workers' Union, perhaps better than any other, has shown what unions can do after they have won good wages and short hours for the workers in an industry. This union has established a summer camp for its members, set up schools and classes

## WOMEN AT WORK

in all kinds of subjects from dancing to economics, provided health services, discovered talented actors and actresses among the garment workers and sent them out "on the road" to entertain the country with a brilliant musical show. Other unions—the Amalgamated Clothing Workers and the American Federation of Hosiery Workers—have found ways to provide good low-cost housing for their members. Unions are helping to establish better minimum-wage rates under State laws and are responsible for many of the labor laws that help all workers to improve their conditions.

No reliable estimate is available today as to the number of women in unions, for few unions keep separate records of men and women members. In spite of great gains, however, it is clear that too few women as yet have the advantage of union membership. Beginnings have been made in every woman-employing industry, but the problem of organizing the great numbers of household and agricultural workers, scattered and isolated as most of them are, is not yet solved. In other industries old traditional attitudes still hold many women back from joining unions.

In years gone by, women did not look upon themselves as permanent industrial workers, and they bore many hardships in industry in the expectation that some day they would marry and leave the ranks of working women. But for a long time it has been increasingly clear that women, whether married or single, are a permanent part of the world's industrial machinery. Through organization they may enjoy more of the fruits of modern industry and contribute their share in shaping the destinies of this country by helping to formulate the policies of government.



## WOMEN AND LABOR LAWS

**L**ABOR organization and labor legislation go hand in hand. History shows that laws for the benefit of workers in this country have come in waves, usually coinciding with heightened activity of organized labor, though public-spirited citizens not directly associated with labor have played a very important part. Workers win good laws through the strength of their organization, and in turn good laws help workers to build their unions. The struggle of workers for equal rights with property owners, the struggle for better working conditions, for better security and opportunity, may be read in musty lawbooks in the legal libraries of the Nation.

An example is the period from 1867 to the 1890's when labor was strongly organized, first in the 8-hour leagues and later in the Knights of Labor. Law after law was passed for the protection of the workers, though some never

## WOMEN AT WORK

became effective or later were repealed. Among them were the first State 8-hour-day law (Illinois, 1867) applying to men as well as to women and never enforced; the first enforceable hour law for women workers (Massachusetts, 1879); the first wage-collection law (Massachusetts, 1879); the first State law requiring seats for salesgirls (New York, 1881); the first State law legalizing trade unions (New Jersey, 1883); the first antisweatshop law (New York, 1885), prohibiting the manufacture of tobacco products in the tenements of large cities; the first law prohibiting yellow-dog contracts (New York, 1887); the first law prohibiting the employment of women at night (Massachusetts, 1890); the first law requiring factories to report accidents (Massachusetts, 1886); and the first law providing guards around factory machinery (Massachusetts, 1877). It was also in this period that the first Government labor-research bureaus were set up at the demand of organized labor. Massachusetts established the first such bureau in 1869 and the United States Bureau of Labor was created in 1884.

Today much of the history of labor legislation is summed up in three great labor laws enacted by the United States Congress in the past few years and accompanied by similar action in the States. The National Labor Relations Act of 1935 helps to iron out the inequalities between worker and employer by guaranteeing labor the right to organize and protecting it in exercising that right. The Fair Labor Standards Act of 1938 safeguards conditions in interstate industries by outlawing child labor and establishing Federal responsibility for Nation-wide wage and hour standards. The Social Security Act of 1935 provides security through unemployment insurance and old-age pensions.

How did these laws come into being?

## **WOMEN AND LABOR LAWS**

### **LAWS FOR WORKERS' RIGHTS**

Behind the National Labor Relations Act are nearly 150 years of struggle for labor's bargaining rights. In the early 1800's, before propertyless workers, men or women, North or South, had the right to vote, workers were arrested under the conspiracy laws when they organized for higher wages or shorter hours. One of the workers' first tasks, therefore, after working men won the right to vote, was to get laws passed that would make trade unions legal and not a "conspiracy" against the State. It was not until after the great wave of organization and strikes for the 8-hour day, following the Civil War, that workers were able to get trade unions legalized in any State. After New Jersey adopted, in 1883, the first State law legalizing trade unions, several other States passed similar laws.

But the battle for the right to organize was not won, by any means. Various other methods of breaking strikes and fighting the unions were found. One method was the injunction, a court order that placed workers in contempt of court if they struck, picketed, helped strikers, or did anything the judge told them not to do. Another method was the "yellow-dog contract," which applicants could be required to sign before being given a job, agreeing not to join a union while in that employment. The Sherman Anti-Trust Act also was used against unions. Other devices used were company unions, strong-arm men hired to break strikes, labor spies, and so on.

The workers spent years trying to get laws passed that would make these anti-union practices illegal. Beginning in New York in 1887 they were able to get 13 States to pass laws against the yellow-dog contract, but in 1915 these laws were overruled by the United States Supreme Court. The struggle for anti-injunction laws and for laws exempting



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unions from the anti-trust act met with even less success.

In 1931 and 1932, however, workers began to make some headway in winning legal guarantees of their right to organize. The Norris-LaGuardia Act, passed in 1932, proved an effective weapon against the injunction as issued by Federal courts and also limited the use of the yellow-dog contract. In 1931 Pennsylvania and Wisconsin had passed similar laws applying to actions of State courts, and after the Federal act was adopted several more States enacted such laws.

In 1933 another great step forward was taken when the National Industrial Recovery Act, in Section (7a), for the first time formulated as a universal and peacetime public policy the right of the workers to organize and bargain collectively through unions of their own choice. But it provided inadequate machinery to enforce this right, and of course was outlawed when the N. R. A. was declared unconstitutional in 1935.

In 1936 a Federal law was passed, making it a felony for employers to transport across State lines men who would interfere with peaceful picketing. In 1937 three States passed laws against strikebreakers: Massachusetts by providing for control of the use of private police and detectives in strikes; Pennsylvania by regulating the appointment of deputy sheriffs and prohibiting the payment or arming of police or sheriffs out of private funds; and Utah by prohibiting local peace officers from deputizing private employees for strike duty.

In 1937, after nearly 150 years of struggle, the workers finally won support of all branches of the Federal Government—the President, the Congress, and the Supreme Court—in their fight for the right to organize freely and effectively for the improvement of their conditions. In

## **WOMEN AND LABOR LAWS**

April 1937 the Wagner-Connelly National Labor Relations Act of 1935 was declared by the United States Supreme Court to be in accordance with the Constitution. This act not only upheld collective bargaining as a public policy, as the N. R. A. had done, but it provided sole bargaining rights for the union chosen by the majority of the workers; it furnished means by which the workers could choose their bargaining agency; and it outlawed the company union and many of the old devices that had been used to break bona fide labor organizations.

After the National Labor Relations Act was declared constitutional, a number of State governments passed similar laws to apply to intrastate industries not covered by the Federal law. By 1938, five States—Massachusetts, New York, Pennsylvania, Utah, and Wisconsin—had “little Wagner Acts” guaranteeing employees the right of self-organization and collective bargaining in intrastate industries.

## **HOUR AND WAGE LAWS**

An almost equally long and stormy history is behind the Fair Labor Standards Act of 1938, with its minimum-wage, maximum-hour, and child-labor provisions. Women are particularly prominent in this chapter of labor-law history, because for many years most protective legislation applied only to women and children. Men were excluded from such laws for various reasons. For one thing, men unionists found that they could win better conditions for themselves through union activity than they could through labor laws. For another thing, resistance to labor laws had the support of a large part of the public so far as protection for men was concerned, because it was felt that men should be able to take care of themselves without the aid of laws. There was

## WOMEN AT WORK

some truth in this, for in the early nineteenth century women were practically unorganized and were slaving 11, 12, and 13 hours a day, while many men had won for themselves the 10-hour day through union activity.

The public attitude was reflected in court decisions. On numerous occasions protective labor legislation applying to men was found to violate the constitutional right of freedom of contract. For women and minors, however, such legislation was ruled constitutional in a number of instances because it was for the "protection and betterment of the public health, morals, peace, and welfare."

The earliest efforts for hour legislation, however, were not limited to women and minors. Back in the 1830's and 1840's labor organizations sought maximum-hour laws for all workers, men and women. The first 10-hour law, passed in New Hampshire in 1847, applied to both sexes. But this was a poor law, worded in such a way that it could not be enforced. The same was true of five other State 10-hour laws for private employment passed during the next 5 years. Again in the wave of labor activity during the Civil War period several State hour laws for both men and women were passed, this time for the 8-hour day, and they too could not be enforced. The National Labor Union in 1867 declared that such laws were mere "frauds on the laboring class." For many years after this, organized labor abandoned legislation as a means of getting the universal 8-hour day and turned its attention to strikes instead.

The first enforceable hour law, passed in Massachusetts in 1879, applied only to women and children. Thereafter for more than 30 years the hour laws passed in the various States for the protection of the worker in private employment generally excluded men. (In public employment, or where the public safety was involved, as in transportation

## WOMEN AND LABOR LAWS

and mining, hour laws were adopted for men.) After the Supreme Court upheld the Oregon 10-hour law for women in 1908 and the California 8-hour law for women in 1915, all doubt was removed as to the constitutionality of such laws for women, and the movement for their enactment was speeded up in the States. The constitutionality of a 10-hour law for men was not established until 1917, and the 8-hour law for men in general factory employment has never been upheld.

Under the N. R. A. in 1933-35, hours of both men and women were regulated by code, but the Supreme Court outlawed the National Industrial Recovery Act as infringing on the constitutional right of freedom of contract. A 44-hour week law for men, women, and minors, adopted in Pennsylvania in 1937, likewise was ruled out by the Supreme Court, though there was no opposition to a similar law applying only to women and minors.

Only when the Federal Fair Labor Standards Act was passed in 1938 did it appear that maximum-hour legislation for men had become acceptable to the public. Seven months after the act had gone into effect no question of its constitutionality had yet arisen. This law, however, unlike State hour laws, does not set an absolute limit to hours of work, but discourages long workweeks by requiring overtime pay.

The history of minimum-wage legislation prior to the enactment of the Fair Labor Standards Act shows the same public attitude toward the relative needs of men and women for protective labor legislation. All State minimum-wage laws, enacted from 1912, when Massachusetts passed the first law, up to 1937, were limited to women and minors, and no attempt was made to pass such legislation for men.

Even so, minimum-wage laws met with considerable resistance. Of the 13 States besides the District of Colum-

## WOMEN AT WORK

bia and Puerto Rico which had passed such laws from 1912 to 1923, two quickly repealed them and with few exceptions the others were slow to enforce them and wage rates set were low.

In 1923 the minimum-wage movement was dealt a severe blow when the United States Supreme Court declared the District of Columbia law unconstitutional in its application to women for the same reason that so much labor legislation had been outlawed—it violated the right of freedom of contract. Acting on this decision, four States declared their minimum-wage laws unconstitutional and another later repealed its law. When the depression began in 1929, only eight States had minimum-wage laws for women on their statute books and these in most cases were weak and poorly enforced.

But minimum-wage legislation, like maximum-hour legislation, was an essential part of the recovery program of the Federal Administration beginning in 1933. Something had to be done to reduce unemployment and stop the toboggan descent of wages. States were urged to adopt minimum-wage laws and seven did so in the first half of 1933. Then came the N. R. A., to raise wages as well as to shorten hours of employment. After 2 years in which the country gradually lifted itself out of the depression, the N. R. A. was outlawed by the Supreme Court; and in 1936, when the New York minimum-wage law of 1933 was declared unconstitutional, it appeared that the new gains in State minimum-wage legislation might be lost.

This setback, however, was of brief duration. Workers had gained new power in 1936 and were unwilling to return to the old conditions. Progressive sentiment throughout the country was strong and crystallized. In March 1937 it was reflected in the decision of the Supreme Court that

## WOMEN AND LABOR LAWS

declared the Washington State minimum-wage law constitutional and reversed the 1923 decision on the District of Columbia law. From that month onward, minimum-wage legislation grew apace. States went into action immediately to enact new laws, or to revive or strengthen their old laws, to provide for better enforcement, or to establish higher wage rates. From March 1937 to the effective date of the Fair Labor Standards Act, 16 jurisdictions—14 States, the District of Columbia, and Puerto Rico—enacted, revived, revised, or for the first time made efforts to enforce their minimum-wage laws. Rates as high as \$18 a week were for the first time ordered under State law.

Hour laws also were improved after the N. R. A. showed the advantage of shorter workweeks. In the years following 1933 State after State amended its hour laws or passed new ones reducing the number of hours that women (and in some cases men) might work, and including more occupations under the law. In many cases these new hour regulations merely put into legal form the conditions that had already come to exist, for the shorter workweek became a fact in many large sections of industry after the N. R. A. showed that business could be conducted efficiently on a 40-hour schedule. The unions, too, played a large part in this when, chiefly to relieve unemployment, they insisted on the 40-hour, 36-hour, and even 35-hour week, and set up the 30-hour week as their goal.

The depression was showing more and more people that there are great economic forces that no individual can master alone, and that low wages and long hours of work only prolong depression and unemployment. It became clear that society must protect all its workers, men, women, and children. In 1937 Oklahoma passed a minimum-wage and maximum-hour law for men as well as for women and



## **WOMEN AT WORK**

minors. In 1938 this Oklahoma law was reviewed by a Federal District Court which found that the law was in accord with the Federal Constitution, though the orders issued under it as applying to men and minors were invalid because of defective wording. In his decision, later upheld by the State Supreme Court, the judge declared:

“Logical reason cannot suggest that the liberties of men to manage their own affairs and contracts is any more sacred than the rights of women, nor that the general health and morals, as affected by conditions of labor of men, are any less a proper subject for the exercise of the police power of the State than that of women.”

## **FAIR LABOR STANDARDS ACT**

In 1938 the Federal Fair Labor Standards Act was passed, which sets for all workers in interstate industry a wage below which no one may be paid and a workweek beyond which no one may be employed. The day seemed to be approaching when men and women would stand together alike under labor laws.

The Federal Fair Labor Standards Act went into effect October 24, 1938. For the first year it provides for interstate industries a minimum wage of 25 cents an hour and overtime pay of one and one-half times the usual rate for work beyond 44 hours. For the second year, beginning October 24, 1939, it provides a minimum wage of 30 cents and overtime beyond 42 hours. In 1940 the standard workweek is reduced to 40 hours, and in 1945 the minimum wage becomes 40 cents, with exceptions at the order of the Administrator. A minimum wage of as much as 40 cents an hour may be set at any time before 1945, however, in industries that have been studied by industry committees and found capable of paying such a wage without causing

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## ERRATUM

In "Women at Work," bul. 161 of Women's Bureau, U. S. Department of Labor, substitute the following for first 6 lines on page 46:

minors. In 1938 this Oklahoma law was reviewed by a State District Court which held that though the law was in accord with principles of the Federal Constitution, the portions authorizing the establishment of minimum wages for men and minors were invalid because of defective wording of the title; consequently, orders attempting to establish such wages were void. The State Supreme Court, in upholding the lower court's decision, declared:

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## **WOMEN AND LABOR LAWS**

undue unemployment or disruption of business. The act also outlaws child labor in interstate industries.

The Federal act has changed the whole legislative picture in this country. It sets a precedent for States to enact, for intrastate industries, minimum-wage and maximum-hour laws applying to men as well as to women and minors. The numerous State laws applying only to women and minors now seem like stepping stones to a broad platform of wage and hour legislation for all workers in industry.

## **STATE HOUR AND WAGE LAWS**

All but five States (Alabama, Florida, Indiana, Iowa, and West Virginia) have maximum-hour laws for women. Some of these have high standards, such as 40 hours in South Carolina textiles, 44 hours in almost all Oregon and Pennsylvania industries, and 45 hours in manufacturing in Ohio. Other laws are very limited in their benefits. Examples of these are the Georgia law that restricts the work-week to 60 hours in textile mills; the 60-hour laws of Maryland and Mississippi; the laws providing the 12-hour day in certain South Carolina industries; and in one or many industries, the 11-hour day in Texas, the 10½-hour day in Tennessee, the 10¼-hour day in New Hampshire, and the 10-hour day in Delaware, Georgia, Kentucky, Maryland, Mississippi, New Jersey, South Dakota, and Wisconsin.

Only 22 States, the District of Columbia, and Puerto Rico have the 48-hour week or better. Most of these provide the 8-hour day, but some permit 8½, 9, or even 10 hours. Only South Carolina has the 5-day week (in textiles). Pennsylvania has the 5½-day week and 19 States and the District of Columbia have laws providing the 6-day week.

For some occupations in all States there are no legal limitations whatsoever to the hours that women may work.

## WOMEN AT WORK

Generally agriculture and household service are exempted from State laws, as they are from the Federal Fair Labor Standards Act. Special exemptions of other occupations are made in some laws, particularly canneries and public utilities, both large woman-employing industries.

State minimum-wage laws for women exist in 26 States (including Maine, where the law applies only to fish-packing and processing), Alaska, the District of Columbia, and Puerto Rico. In effect, these now supplement the Fair Labor Standards Act by providing standards for service industries and some others not covered by the Federal Act. Their chief importance, however, lies in these two matters: They provide, in the great majority of cases, higher wage rates than the 25-cent rate of the Federal law, and they comprise a body of legislation for women which—its constitutionality having been affirmed by the courts—will remain in effect even should such laws for men be found unconstitutional. Many of these laws and the high rates established under them have grown out of the same awakened labor activity that is reflected in the Federal Fair Labor Standards Act, the National Labor Relations Act, and the other great labor laws of the past few years.

### OTHER PROTECTIVE LABOR LAWS

One of the precedents for the Federal Fair Labor Standards Act is the Public Contracts Act of 1936, which prohibits, for workers engaged on Federal contracts amounting to more than \$10,000, hours in excess of 40 a week and 8 a day without overtime pay, and wages less than the prevailing minimum wages. This act, estimated to affect about 1,150,000 workers directly and many more indirectly because of its influence on industry, was designed to do away with the former Government policy of placing orders

## WOMEN AND LABOR LAWS

with the lowest bidder without regard to the wages and hours in his plant. No wage rate established under this act for various woman-employing industries has been lower than  $31\frac{1}{4}$  cents an hour or \$12.50 a week for experienced unhandicapped workers. Women must be paid the same rates as men for the same work.

Still another minimum-wage law is the Sugar Act of 1937, which requires sugar-beet and sugar-cane growers to maintain certain labor standards before they can qualify for Federal benefit payments.

Other protective labor legislation enacted in the States for women workers includes industrial home-work laws, and laws providing seats for women workers, lunch and rest periods, and Saturday rest.

Seventeen States have laws regulating the practice by manufacturers of distributing work to be done in the home instead of the factory. (See chapter on Low Wages for Women.) Both the Fair Labor Standards Act of 1938 and the Public Contracts Act of 1936 limit the practice of industrial home work, either by insisting that minimum wages be paid to home workers or by prohibiting home work altogether.

All States but Mississippi have laws requiring seating accommodations for women workers. Twenty-two States, the District of Columbia, Puerto Rico, and the Philippine Islands have laws providing time off during the workday for rest or lunch.

It is now considered that laws prohibiting the employment of women in certain occupations, once thought of as protective legislation, should be restricted to occupations that are known, from scientific study, to be especially harmful to women. Seventeen States have laws prohibiting women from working in mines. Five States regulate the employment of women in core rooms, and six do not permit women



## **WOMEN AT WORK**

to be employed in occupations in which they have to lift or carry heavy weights. Six States and the Philippine Islands have laws prohibiting the employment of women for from 4 weeks to 5 months before and after childbirth, but these laws do not provide any substitute method by which the woman may support herself during such period. Sixteen States prohibit women from working at night, at least in certain occupations. The original night-work law (Massachusetts, 1890) was designed to limit overtime in textile mills, and was known as an "overtime law." Though other methods have been found for limiting overtime, night work should be restricted for both men and women because of its disruption of normal living and its bad physical effects.

In many other ways women workers are now safeguarded by law. Difficulties in collecting wages from unscrupulous employers are met in several States by wage-collection laws authorizing public officials to accept assignment of wage claims and collect for claimants through suit in civil courts. Protection against fire, accidents, disease, industrial poisons, and insanitary conditions is provided through a variety of labor laws, some of them won only after struggle and loss of life.

## **LAWS TO MEET UNEMPLOYMENT**

In contrast with the long and varied history of protective legislation for workers, the Social Security Act of 1935 represents a fairly new development in this country. This is because in former depressions unemployment disappeared after a few years as new frontiers were opened up or wars or new industries absorbed the unemployed. But the depression that began in 1929 found all frontiers closed, no new areas to develop, and no new industries ready for expansion. Even before the depression, in a period of prosperity,

## WOMEN AND LABOR LAWS

from 1,500,000 to 2,000,000 were unemployed. As the depression years continued, with large numbers unemployed and with technology finding new ways of cutting labor requirements, it became clear that unless hours could be greatly shortened and purchasing power greatly increased, unemployment would be a permanent problem in the United States and must be met with permanent programs.

The Federal Wagner-Peyser Act of 1933 was one of the earliest national attempts to meet the unemployment problem on a permanent basis. This act reorganized the United States Employment Service in the Department of Labor and provided for a Nation-wide network of State public employment services affiliated with the United States Employment Service and operating according to Federal standards, with the aid of Federal funds. As the result of this act as well as of the Social Security Act, which enlarged the functions of the Employment Service, all 48 States now have free public employment agencies.

The emergency relief acts of 1933, 1934, 1935, and subsequent years attempted to cope with the unemployment problem on an emergency basis through the Civil Works Administration, Emergency Relief Administration, Federal Surplus Commodities Corporation, and others. These relief programs led in 1935 to the separation of direct relief from work relief and the establishment of the theory that the Federal Government should provide jobs for all unemployed who could work, while the States and communities, with Federal assistance, should provide for those who could not work. This theory found expression in several Federal agencies, the Works Progress Administration, the National Youth Administration, the Public Works Administration, and the farm loan program of the Farm Security Administration, all of which were designed to put the unemployed back

## WOMEN AT WORK

to work, and in the relief benefits of the Social Security Act, which provided Federal contributions to State plans for the assistance of some of those who could not work—the aged, the mothers of young children, and the blind.

All these measures attempted to meet only the existing unemployment problem. Much more important and far-reaching were those sections of the Social Security Act that provided means of meeting future unemployment—the unemployment-insurance and old-age-pensions provisions of the act.

## UNEMPLOYMENT INSURANCE

Unemployment insurance was well established in Europe long before there was any active effort to introduce it in the United States. Not until 1916 in Massachusetts was an unemployment insurance bill introduced into a State legislature in this country. No such bill became law in any State until Wisconsin took the pioneer step in 1932.

In 1935 the Social Security Act, encouraging all States to pass such unemployment insurance laws, was passed by Congress, and in 1937 its constitutionality was confirmed by the Supreme Court. The act provides for a Federal tax on employers' pay rolls that will be largely refunded if the employer contributes to a State unemployment insurance system approved by the Federal Social Security Board. If no contributions are made to a State system, however, the Federal Government keeps the entire amount of the employers' tax and the State gets no benefit from it. The act also provides that the Federal Government pay the administrative costs of State unemployment insurance systems.

Under this double inducement the States rapidly passed unemployment insurance laws, until by July 1937 all States, the Territories of Alaska and Hawaii, and the District of

## WOMEN AND LABOR LAWS

Columbia had set up approved systems, and, the Social Security Board estimates, nearly 21,000,000 workers were covered by unemployment insurance.

Payments to newly unemployed workers began in Wisconsin in 1936 and in 21 other States and the District of Columbia in January 1938. At the end of 1938, 29 States were paying out-of-work benefits and they were to become payable by July 1939 in all the remaining States. Most State laws provide that the rate of compensation shall be 50 percent of wages up to a maximum of \$15 a week, and usually with a minimum limit of \$5 to \$8 a week. In most cases the number of weeks for which compensation may be received is 15, though the range in the different States is from as few as 12 to as many as 20. Waiting periods of from 2 to 3 weeks after the worker loses his job, before he can get insurance, are provided in most laws. Checks paid out in December 1938 to nearly a million individuals averaged \$11 a week for total unemployment, \$5 for partial unemployment.

Generally the workers employed in very small establishments are not covered by the law, and in some cases higher-salaried people are not benefited. In practically all States certain large groups are exempted including, among others, agricultural labor, household employees, Government employees, and workers employed by charitable and other nonprofit institutions.

While providing unemployment insurance, the Social Security Act also makes provision for hastening the reemployment of the unemployed. To obtain insurance payments a worker must register with the State public employment agency affiliated with the United States Employment Service.

Thus the Social Security Act has provided for the United States a system by which the number of unemployed may be

## WOMEN AT WORK

ascertained with reasonable accuracy and immediate efforts can be made to place the workers in jobs.

## OLD-AGE INSURANCE

The old-age insurance system set up by the Social Security Act provides another means of reducing unemployment, since it gives inducements to older workers to retire and guarantees a small income for their old age. By September 1938, all States had passed old-age insurance laws in conformity with the Social Security Act, and more than 40,000,000 workers had social security account numbers which signified that they were applicants for insurance. About one-half of the new applicants during the fiscal years 1936-37 and 1937-38 were women.

Pension benefits are provided through a pay-roll tax matched by an income tax paid by the worker. Monthly payments ranging from \$10 to \$85, depending on wages, to workers who retire at 65 years of age or older will begin in January 1942 and will continue for the rest of the workers' lives. Excluded from the old-age pension system are agricultural and household workers, Government employees, and some other groups.<sup>1</sup>

## RELIEF, AND HEALTH SECURITY

Besides protecting unemployed and retired workers, the Social Security Act carried a step farther the great relief system established in this country since 1933. Direct relief for the unemployed, provided by the Federal Government through the Federal Emergency Relief Administration, ended in 1935,

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<sup>1</sup> Under the Social Security Act as amended by Congress in August 1939, insurance benefits are extended to the dependent children and the aged wives or widows of insured workers, or to dependent parents of workers who die leaving no widow or dependent child. Payments are to begin on January 1, 1940.

## WOMEN AND LABOR LAWS

and State and local relief systems took its place. These were supplemented by the Social Security Act through Old-Age Assistance, Aid to Dependent Children, and Aid to the Blind.

Old-Age Assistance, unlike old-age pensions, is a system of direct relief to the aged, provided through State public welfare departments under systems approved by the Social Security Board. State contributions to the fund are matched by Federal grants up to \$15 a month for persons 65 years of age and over not in institutions.<sup>2</sup> By September 1938 all States had set up such assistance, and 1,700,000 aged persons were receiving grants averaging about \$19 a month.

Aid to Dependent Children, under systems approved by the Social Security Board, had been established in 40 States by August 1938 and was providing about 246,000 mothers or other near relatives with monthly cash payments for the care of dependent children. In September 1938 the amounts averaged almost \$32 a family, of which the Federal Government paid one-third.<sup>3</sup> While some States had had "mothers' aid" for more than 20 years, the Social Security Act brought wider scope and higher standards and benefits to this type of assistance.

Aid to the Blind in August 1938 was being furnished through the Social Security Act in 40 States. In September 42,000 needy blind received an average of about \$23, the Federal Government paying one-half.

Better health services for mothers and children were provided by the Social Security Act, which authorized Federal aid to States that wished to establish such services. Like-

<sup>2</sup> Under the Social Security Act as amended by Congress in August 1939, the Federal Government, beginning January 1, 1940, will match expenditures for Old-Age Assistance up to \$20 a month.

<sup>3</sup> Under the Social Security Act as amended by Congress in August 1939, the Federal Government, beginning January 1, 1940, will pay one-half of the expenditures for Aid to Dependent Children, but not more than \$9 per month for the first child and \$6 for each additional child in a family.



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wise, the act expanded the vocational rehabilitation program established by the Federal Government in 1920 under the Office of Education. Through this program Federal money is made available to States for training disabled workers in some trade by which they can help to support themselves.

With the Social Security Act came greater interest in other forms of worker insurance, including compensation for industrial accidents and occupational and industrial disease. In recent years several of the 46 States with workmen's compensation laws (which date from 1910, when New York passed the first such law of general application) have widened their coverage or increased their benefits. As a result of recent legislation, 21 States, the District of Columbia, and 3 Territories were compensating for occupational disease in 1938.

Such laws serve a double purpose in some States, not only assuring the workers of some income when they become disabled but safeguarding them against accident or disease to a certain extent, and in a number of States providing means of rehabilitation for the disabled. Unfortunately, as in the case of many other labor laws, large groups of workers, such as household employees and agricultural laborers, are not covered.

## THE NEW OUTLOOK ON LABOR LAWS

In the years 1935 to 1938 labor legislation came to have a broader meaning in America, branching out from wages and hours into the vast field of social welfare. A new housing program was expanded under the United States Housing Act and the enabling acts passed in 33 States by the end of 1938. A new national health program was being planned. In all these, the greater share of the benefits would go to workers, especially women workers.

## **WOMEN AND LABOR LAWS**

But a law is only as good as its enforcement. Prior to about 1911, State labor laws were poorly enforced. After the modern type of enforcement agency was introduced (Wisconsin's was the first, in 1911), the situation improved, but even with the best administration today much responsibility for labor-law enforcement depends on the workers themselves and on other groups of the interested public. Both workers and consumers must be ever vigilant to report violations of the law and ever ready to cooperate with administrative staffs that are working sincerely for high standards of labor-law administration.



## THE NEGRO WOMAN WORKER

**W**OMEN workers in general have been restricted by lack of opportunities for employment, by long hours, low wages, and harmful working conditions, but among them are groups upon whom these hardships have fallen with double severity. These women are the latest comers into industry to whom are opened only the lowest paid jobs that more experienced workers have vacated in favor of something better.

Negro women came late into the job market, and in addition they bore the handicap of race discrimination. Their origin placed a stigma on their capabilities and they were considered unfit for factory or skilled work. White men and women, partly because of this and partly because they resented the competition of cheap Negro labor, were unwilling to be engaged on the same work processes with them. To the Negro women, therefore, have fallen the more menial, lower paid, heavier, and more hazardous jobs.

## THE NEGRO WOMAN WORKER

Their story has been one of meeting, enduring, and in part overcoming these difficulties.

Previously to the Civil War few Negroes were employed in manufacturing and mechanical pursuits. As unpaid labor in the South, where more than nine-tenths of the Negro population of the United States was to be found, they had worked on plantations—raising cotton, tobacco, sugar, rice, and hemp; or had done the household service of maids, cooks, washwomen, and seamstresses. Some Negroes had gained industrial experience in cotton, tobacco, and bagging factories, in iron furnaces and charcoal plants, but their numbers were small, as the industrial development of the South was almost negligible at that time.

After the Civil War, white women entered industry in increasing numbers, but manufacturing was still closed to Negro women. Their employment continued to be limited almost entirely to farm work and domestic and personal service—a condition that continued down through the years. As late as 1910, 95 percent of all Negro women workers were in these occupations. Up to the time of the World War the only manufacturing industry to employ any large number of Negro women was the making of cigars and cigarettes.

With the shortage of labor created by the World War, the opportunity came for Negro women to join the growing army of American women in industry. They entered in large numbers those occupations that white women were leaving as new opportunities opened: In other cases Negro women filled the places of men who had gone to the front. The greatest gains were made in textile and clothing factories, food industries, tobacco factories, and wood-products manufacture. The war industries, too, recruited Negro women in the making of shells, gas masks, and parts of airplanes. The Census of 1920, taken immediately after the war period,

## **WOMEN AT WORK**

showed that Negro women in the manufacturing and mechanical industries had increased by over one-half. In the professions (as teachers), in office work, and as salesgirls, Negro women also found new work opportunities during the war.

With the return of men from the front and the end of the labor shortage, many of these gains were lost, especially in manufacturing. According to the Census of 1930, however, the number of Negro women had continued to increase in trade, professional service, and clerical occupations. While small numerically, these increases in white-collar occupations represent real achievement in the occupational progress of Negro women.

In 1930, almost 2,000,000 Negro women were in gainful employment, making up about one-sixth of the entire woman labor force of the Nation. Practically two in every five Negro women and girls 10 years old and over worked for a living, in contrast to only one out of five white women and girls. One reason for the higher proportion of workers among Negro women lies, of course, in the lower wages paid to Negro labor, whether men or women, and the need for more persons in a family to bolster the inadequate income.

### **OCCUPATIONS OPEN TO NEGRO WOMEN**

The vast majority of Negro women still work in agriculture or in domestic and personal service; in fact, 9 of every 10 Negro women workers in 1930 had occupations in these two fields of employment. Most of the half-million Negro women in agriculture were unpaid family laborers, but there were many wage workers, too, and a few independent farmers among them. Of the Negro women in domestic and personal service, half were workers in private homes and the others were home laundresses or laundry workers,

## **THE NEGRO WOMAN WORKER**

waitresses, charwomen, cleaners, untrained nurses, midwives, beauty operators, elevator tenders, and so on.

Of the remaining one-tenth of the Negro women workers, about half were in the census group "manufacturing and mechanical industries," employed chiefly in tobacco, clothing (including home dressmaking), food, and textile industries. The other half, only 5 percent of the total, were in white-collar occupations, that is in trade, clerical work, transportation and communication, and the professions, especially school teaching, nursing, and acting.

For Negro women the growing beauty-culture industry offers occupational advancement, in spite of the long hours and low wages in Negro beauty shops. Even work in a power laundry is progress from working as a wash woman at home. Factory work is a step ahead of jobs in agriculture and domestic service. However, studies have shown that in factories Negro women usually are employed at such dirty, hot, or heavy jobs as cleaning and sweeping, sorting old rags or bags, or pressing finished garments. The opportunity to tend a machine usually is denied the Negro woman.

## **LOWER WAGES FOR NEGROES**

Just as women in general are not permitted to do the more skilled jobs in factories and therefore are paid less than men, so Negro women are denied the higher-grade jobs open to women in factories and consequently are paid less than white women. An example of this is found in a study of the cigar and cigarette industry, which showed that Negro women averaged \$10.10 in cigars and \$8 in cigarettes, while white women averaged \$16.30 in cigars and \$17.05 in cigarettes. Most Negro women had the disagreeable job of stripping the tobacco leaf, while the white women were making or packing the product.



## WOMEN AT WORK

No wage has been considered too low to pay Negro women. During the depression years there were reports of Negro women in the South doing a day's washing in return for lunch and a dress, or doing the week's wash of a family for 50 cents. Average wages of Negro women doing both maid and laundry work in private homes were reported at \$3 a week. In 1934 in 26 communities of the South, average weekly wages of Negro household workers were \$6.17 for an average workweek of 66 hours. Much lower wages, ranging down to nothing but clothing or houserom, have been reported here and there in recent years.

Worst of all, probably, is the situation of the Negro farm worker, usually employed on the cotton lands of the South. At least half of all Negro women farm workers in 1930 received no wage for their labor except as they had a share of the family wage. For when a man goes to work on a southern cotton plantation as a sharecropper or tenant, his whole family is expected to go to work too, and he contracts for the labor of his wife and children and all able-bodied members of his family as much as for his own labor. Yet, with whole families working in the fields, the average cash income of southern farmers, white or Negro, in prosperous 1929 was only \$186 a year.

## NEGROES' SHARE IN PROGRESS

Education is one great need of Negro women of the South. Even where schools are available in the South their quality is poor, or the number of weeks that the schools are open is very limited. Not much education can be secured with teachers' salaries at \$388 a year, which was the average paid Negro school teachers in rural schools of 17 States and in the District of Columbia in 1934.

The unions too have passed the Negroes by to a large

## THE NEGRO WOMAN WORKER

extent, and especially the women. This is partly because Negro women, even more than white, are concentrated in occupations that are most difficult to organize—agriculture and household service. But even in occupations that are fairly well organized among white women, Negro women have shown a tendency to stay out of unions.

Today, however, Negro women are awakening to the need for organization and white women are coming to realize that it is better to have Negroes as fellow union members than as competitors in time of strike. In recent years there have been the beginnings of organization among Negro tobacco workers, laundry workers, crab pickers, cotton pickers, and other agricultural workers. Many Negro garment workers, originally brought into Chicago, New York, and Philadelphia as strikebreakers, are now organized in the great garment workers' unions. The problem of organizing household workers, at which some effort is being made in various parts of the country, is to a large extent the problem of the Negro woman worker.

The depression fell with particular severity on the Negro worker. For example, many Negroes in low-paid jobs were discharged to make room for white workers who in times of prosperity would not have accepted such work. In 1935 one of every four Negro women workers was on relief.

When various measures were set up by the Government to correct the depression evils, these failed to reach the Negro woman to the same extent as the white. The Social Security and Federal Fair Labor Standards Acts, for instance, exclude the two great occupational fields in which most Negro women are employed, agriculture and household service. Likewise, the State minimum-wage laws help Negro women less than white women. Though one-fourth of all Negro women workers live in States with minimum-

## WOMEN AT WORK

wage laws, under the present limitations of the laws only one-tenth of the Negro workers are covered. However, the application of these laws to the service industries, such as laundries, is reaching Negro women. It is reported that 10,000 Negro laundry workers in New York City alone have better conditions as the result of the New York laundry order issued in 1938, which provides an 8-hour day and a minimum wage of \$14 a week. Formerly Negro laundry workers labored 10 to 14 hours a day for a wage of from \$6 to \$10 a week.

Moreover, the Works Progress Administration has helped the Negro woman worker in certain ways, not only by providing jobs but through workers' education projects. Workers have been taught how to read and write, others have learned new skills to help them get jobs. The household training projects of the W. P. A., for instance, have enabled hundreds of unskilled Negro women to qualify for jobs as trained domestic workers.



## THE IMMIGRANT WOMAN WORKER

**T**HE immigrant woman at Ellis Island—looking beyond the Statue of Liberty to America, the land of promise—has become an epic figure. During the past century many thousands of workers yearly have come to the United States. The tide of immigration has been full in times of prosperity and has ebbed in times of depression or war, but throughout the century the work of the immigrant has gone into the building of our national life.

In 1930, of our nearly 11 million women workers, a million and a quarter were foreign-born. Formerly the numbers of women immigrants were appreciably smaller than the numbers of men, but, with a scarcity of jobs in this country and a shortage of men in Europe since the war, the last several years have seen the women immigrants greatly outnumbering the men. Usually they come to join their relatives who have settled and found work in the United States.

## WOMEN AT WORK

### EUROPE ANSWERS DEMAND FOR LABOR

The history of immigration in this country divides itself into two definite periods, popularly called that of the "old" and that of the "new" immigration.

Until 1896 the majority of the immigrants were from northern and western Europe—chiefly the United Kingdom, Germany, the Scandinavian countries, and Switzerland. Dissatisfied with economic, religious, or political conditions at home, these people turned to America as a place of opportunity. Here in the West land could be had free and in the industries of the growing cities there was a demand for foreign labor.

As the United States changed from a country characterized by a simple rural environment to a complex industrial and urban society, fewer advantages were offered the immigrant workers. There was no longer a great frontier offering free or cheap lands, to be reached by the construction of railroads, canals, and highways. The factory smokestacks of our great industrial cities were beginning to blacken the skies, and into the foundries, the factories, the sweatshops, and mines went the immigrant workers.

The northern and western Europeans, in whose countries opportunities had become almost as favorable as those in the United States, were less tempted to emigrate. But from southern and eastern Europe, chiefly Italy, Austria-Hungary, and Russia, came the unsuccessful and the oppressed, to whom America offered a "way out."

In 1896 the new immigration from southern and eastern Europe overtook and passed the old. In 1910 the new constituted more than 70 percent, and the old—that had been well over 90 percent of the total from all countries—now was less than 20 percent.

The adjustment of the earlier immigrants was not difficult.

## **THE IMMIGRANT WOMAN WORKER**

Largely from rural communities in Europe, the majority turned to farming in the United States, settling in colonies and living much as they had done in Europe. Many of them speaking English, and the others the more familiar of the continental languages, they were culturally closely allied to the American people and easily assimilated. But the more recent arrivals, largely unskilled peasants with a rural social heritage, did not fit so easily into the new life in America. From the outset their adjustment to a complex urban environment was filled with hardship and difficulties.

### **IMMIGRANTS NO LONGER WELCOMED**

At first our welcome to the immigrants was almost unlimited. We were in a period of national building and expansion. But by the time the new immigration had set in, immigrant labor had begun to be felt as competitive in the American labor market. The conviction grew that the labor market was already overstocked. In 1882 the Federal Government assumed control of immigrant regulation. The first law excluding large groups of immigrants on the basis of being physically, mentally, or morally unfit was passed.

For many years our national immigration problem has been one of exclusion, selection, and deportation. In 1917, after a 25-year struggle, when sentiments of nationalism and self-protection had been aroused by the World War, a severe limitation was set up with the passage of the immigration law embodying the literacy test, over President Wilson's veto. From this time on many Americans wanted to exclude all further immigration, but this plan was abandoned for the quota acts of 1921 and later years, which limited the immigration of aliens of any nationality in one fiscal year to certain percentages of those already in the



## **WOMEN AT WORK**

United States. The cutting down of this large supply of cheap labor did much to make permanent the wartime employment gains of women and encouraged the further use of their services.

That manufacturers could turn to a continuous supply of immigrant labor throughout our period of greatest industrial development did much to accelerate that expansion. A very large percentage of the new immigration was common labor, having no definite occupation or skill. As factories developed, these men and women fitted into the unskilled work of industry at low wages. Ignorant of American ways and lacking factory experience, in each case the most recent arrivals in the country entered industry at the very lowest level, doing the least desirable work. Like the Negro worker, the immigrant fell heir to only the ragged edges of employment opportunities.

In 1930 there were in the United States 6,139,000 foreign-born white women, of whom 1,156,000 were gainfully occupied. Largely concentrated in the Middle Atlantic States, the greatest proportion (two-fifths) of the foreign-born white women were in domestic and personal service. The next largest proportion, well over one-fourth, were in the manufacturing and mechanical industries. Of the latter, clothing and textiles had the largest proportions, 26 percent and 23 percent, respectively.

### **TYPICAL FOREIGN-BORN WORKERS**

An interesting picture of what these women are doing and how they have found their place in American life has been given by the Women's Bureau in a study of over 2,000 foreign-born women wage earners in Philadelphia and the Lehigh Valley, Pa. These two regions were considered typical communities from the standpoint of the

## THE IMMIGRANT WOMAN WORKER

foreign-born and their problems—Philadelphia a great city with many diversified industries and a large proportion of immigrants, and the Lehigh Valley a locality with a few predominating industries for women, chiefly cigars and textiles, and with concentrated groups of foreign-born labor.

Less than one-tenth of the women studied were of the old immigration, the vast majority having come from the countries south and east of Germany. Poland had been the homeland of the largest number, but Austria, Hungary, Italy, Yugoslavia, Russia, and Czechoslovakia were well represented. In Philadelphia the leading foreign nationality was Polish, but in the Lehigh Valley most of the women were German. The importance of economic dissatisfaction as a motive for immigration was shown by the fact that "better living" was the reason given by so many of these women for leaving the old country. The longing for "a nice home" was mentioned frequently. With high hopes and expectations, they had come to America to seek good jobs. A country of better opportunity, higher standards, less militarism, and more freedom was their goal.

The speed with which they had found jobs on arrival was astonishing. The majority were young, nearly three-fifths being 18 or under when they arrived, and only about one-tenth had had any real industrial experience in their native lands. The great majority of the women who reported having worked in the old country had toiled on farms or in private homes. After their arrival here jobs were more often obtained through the efforts of friends or the blind workings of chance (three-fourths having secured their jobs in these ways) than through qualifications of skill and experience. Into cigar, clothing, and textile factories large numbers of them had been drawn, not through special

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aptitude for such types of work but through the need to get a start in the new life, to make sure of a pay envelope, and to earn a bare livelihood for themselves and their families. Only 11 percent gave as a reason for choice of job, "trade or work I knew."

Over half of them had remained in the same job and occupation for years. For these it was a case of once a spinner, weaver, cigar roller, power-machine operator, always such a worker.

The slight degree to which real assimilation had taken place was reflected by the fact that 37 percent of the women in the study who had been in this country at least 10 years were unable to speak English. The illiteracy rate was high. About one-sixth were unable to read or write in any language.

Only 18 had become naturalized citizens by their own efforts. One of them, a silk weaver of 48 years who had recently received her citizenship papers, boasted that she was "the first lady to get them in Berks County; it was in the papers about me."

A large proportion of the women (74 percent) were or had been married, and usually the husband and wife both were working. Many of the husbands were unskilled wage earners.

When a girl tells how she left one factory for another because she could earn 2 cents more per hundred for the cigars she rolled, the importance of the pay envelope in the lives of these women is realized. Wages were very low and hours were long; 37 percent of the women in the Lehigh Valley worked more than 10 hours a day, and in both sections long hours and overtime were varied with part time and half-filled pay envelopes.

"Have to like it, it's daily bread," was the attitude of

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the majority of the women toward their jobs. That the women fortunate enough to have jobs with good working conditions appreciated them was indicated by such comments as, "They treat the women nice, no boss holler, no boss yell"; "There is a bench for each loom and a chance to sit."

Despite the failure of these immigrants to find riches or even the "nice home" of their dreams, and notwithstanding their struggle to keep a firm foothold in the wage-earning arena, most of them were glad to be in America.

## **EFFECTS OF WORLD PROBLEMS**

During the depression years many of the foreign-born who had been induced to come to this country when cheap labor was needed found themselves unwanted by industry. Large numbers were deported or returned voluntarily to their homelands. In many communities those who had not become American citizens were refused unemployment relief. Frequently they were barred from receiving old-age assistance under State social security laws, and their employment on W. P. A. projects was restricted.

As a result of these experiences there was a sharp increase in the number of foreign-born who sought to become American citizens. In both the fiscal year ending June 30, 1937, and that ending June 30, 1938, the number of persons naturalized was more than 162,000, as compared with less than 120,000 in each of the years 1933-35. The number who declared their intention to become citizens doubled from 1933 to 1937. The Government directly aided this movement by setting up Americanization classes through the Works Progress Administration in cooperation with the Immigration and Naturalization Service of the United States Department of Labor.

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For a time it appeared that the old "immigrant problem" was to be a thing of the past. Less than 30,000 aliens were admitted to this country in 1933 and 1934 as compared with an average of 266,000 per year in the period 1925 to 1931. But since then there has been a gradual increase, to 68,000, the number admitted in 1938. Conditions in Europe indicate that the number will continue to grow in the next few years.

The new immigrants are most likely to be refugees who are fleeing political persecution in their homelands. Many are persons of education and many were persons of means before they were forced to abandon their property. Just as the first immigrants who landed at Jamestown and Plymouth came here to seek religious and political liberty and founded a nation; just as the later immigrants sought economic opportunity and helped to expand a continent; so do these modern immigrants seeking democracy, peace, and freedom promise to enrich the cultural life of this country, still a land of opportunity for the oppressed of many nations.



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**T**ODAY, in 1939, women workers have new weapons with which to meet the old problems of unemployment and low wages.

The number of workers organized in federated trade unions doubled from 1935 to 1938, increasing from under 4,000,000 as reported by the American Federation of Labor to nearly 8,000,000 as reported by the American Federation of Labor and the Congress of Industrial Organizations combined. In addition are many hundreds of thousands of workers in the Railroad Brotherhoods and independent unions.

The influence of organized workers in affecting public policy had become much greater than indicated by their numerical increase. Unions had entered fields never before touched by organization and often the very fields in which women are an important part of the labor force.



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The Government had set up agencies to insure the workers' right to organize through the National Labor Relations Board; to give the unemployed jobs through the Works Progress Administration and Public Works Administration, unemployment insurance through the Social Security program or relief through expanded State systems; to help remove the aged, the handicapped, and the mothers with dependent children from the labor market through the Social Security program; to find jobs for the jobless through the United States Employment Service and cooperating State services; to insure against a return of sweatshop wages and hours through the Fair Labor Standards Act of 1938 and new State minimum-wage and maximum-hour laws for women. With few exceptions none of these aids was in existence in 1929 when the great depression caught the country unprepared.

### **GOVERNMENT AIDS TO WOMEN**

Today women workers have the protection of the Government as never before. At one time in 1938 about 372,000 women had W. P. A. jobs. Not only did these jobs provide them with subsistence, but in many cases their jobs were teaching them new skills that they could use later in private industry. What is more, their W. P. A. work in most cases was providing new and useful services to their communities or to other people in need of such services throughout the Nation. Clothing, bedding, and other household goods made by W. P. A. workers have been distributed to other unemployed and to hospitals and institutions for the needy. The same has been true of foods canned or processed by W. P. A. workers. Teachers from W. P. A. have brought the first knowledge of reading and writing to adults who never had a chance to learn before; nurses and household

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helpers have gone out to give aid in homes broken by disease and poverty; players and singers have brought color and music to people whose lives were dull and drab. And so the W. P. A. has opened up many bright vistas for the woman worker today.

More than three-fourths of a million aged women were receiving old-age benefits in 1938 as a result of the Social Security Act. Every State in the Union was granting such assistance by September 1938, with the aid of Federal funds. Other women, who had become unemployed since January 1937, were receiving unemployment-insurance benefits, and in the summer of 1938 nearly 250,000 mothers or other persons with young children to care for were being paid monthly sums, also under the Social Security program.

The United States Employment Service and its affiliated State agencies in the calendar year 1938 found 856,000 placements for women. Though in some cases more than one temporary job went to one woman, in the great majority of cases each job represented a different woman who was aided through this free employment-agency service.

Today about 5 million women have the protection of minimum-wage laws, Federal and State. Approximately 4 million are covered by the Federal Fair Labor Standards Act. Another million and a quarter women are eligible for protection under State minimum-wage laws, though somewhat less than a million were actually protected by the end of 1938 because of court actions or delays in issuing wage orders under State laws.

Today hours of work have been so shortened through government action, as well as through the action of labor and enlightened employers, that thousands of women in factories, stores, and offices need work no more than 40 or 48 hours a week to get at least a subsistence.

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### WOMEN IN UNIONS

Today women make up a large part of the powerful International Ladies' Garment Workers' Union, also of the Amalgamated Clothing Workers of America, the United Garment Workers of America, the United Hatters, Cap, and Millinery Workers' International Union, the textile workers' and shoe workers' unions. The recent organization of the great mass-production industries, such as automobiles and rubber, has reached many women. Even the United Mine Workers Union has women members, recruited from the chemical and cosmetic factories. Canning and packing workers' unions now claim thousands of women.

Women white-collar workers in increasing numbers are seeing the value of organization. Actresses on the legitimate stage have had a closed shop for many years, and now newspaper women, social workers, school teachers, and laboratory technicians are organized in some centers. Unions of stenographers, bookkeepers, and other office workers are growing.

In the Government service, especially the Post Office, a considerable number of both men and women clerks have been organized for some years. Today unions of government employees, in State, county, and municipal service and in the Federal service, have large numbers of office workers organized, as well as charwomen, nurses, librarians, highway laborers, and all the other types of workers that are in the employ of the government.

Efforts are being made among the most difficult groups to organize, those in retail stores, hotels and restaurants, and laundries.

With government and organized labor as her allies the woman worker today is in a better position than ever before to win her long struggle for good wages, decent working

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conditions, equal opportunities with men, a secure income, and the full, happy, and healthy life that is her birthright in America.

### PROBLEMS FACING WOMEN WORKERS

But today this battle is far from won. Most serious is the fact that there are more than 3,000,000 unemployed women in America, and 1,500,000 who have only part-time employment, according to the National Unemployment Census of November 1937. No one knows how many of these women might withdraw from the labor market if their husbands or other members of their families had a living wage. But in November 1937, when some 8 million men were out of work, these women wanted and needed jobs.

Many of them faced a grim future, even when prosperity returned, for probably a third of them had reached an age at which they were no longer wanted in many occupations. One-third of the women seeking work at public employment offices are 40 years of age or older, the United States Employment Service has found. Those under 65 are too young to qualify for old-age assistance yet too old to find work easily. Nowadays, in many industrial occupations a woman is considered too old to get a job at 30, and even at 25 she is too old to be taken on in certain service occupations. Though the older woman worker who belongs to a strong union may have an advantage over the younger one because she has the protection of seniority rights in lay-offs and rehiring, if she loses her job it is most difficult for her to get another in a new place of employment.

For the young unemployed girl of today the future is dark too, for she has no experience to offer in seeking work. Her problem is to be able to remain at school and to have practical job training so that when work opportunities do open up

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she will have something besides blank years of idleness at home to qualify her for a position.

Another serious problem that remains today is the generally low wage level that still exists in women's occupations and that has been described in the chapter on Low Wages for Women. Women workers without special training or skill can expect to get little more than \$12 to \$15 a week.

### MILLIONS UNTOUCHED BY PROGRESS

Women workers must also face the fact that about 2 million of their number have been practically untouched by the great advances made by factory workers, white-collar workers, and even some of the service workers in recent years. These 2 million are in agriculture and allied occupations and household employment. They are the beet and cotton and onion and berry pickers, the fruit and vegetable packers, the tobacco stemmers, stringers, and strippers, the sharecroppers. They are the women who cook and scrub, wash and iron, for pay in private homes. These women have been excluded from the Social Security Act, the Federal Fair Labor Standards Act, and practically all State minimum-wage, maximum-hour, and to a large extent workmen's compensation and wage-collection laws. Yet their wages are probably the lowest, their hours the longest, and their work the hardest and most hazardous of any group of women workers in the country. The conditions under which they labor make it particularly difficult for them to organize to improve their status, and as a result their union strength is slight.

Many State minimum-wage laws, besides excluding certain industries, also exempt small towns and rural areas or provide for lower rates for such places than for the cities. They do this in accord with a mistaken notion that it costs appreciably less to live in a small place than in a large one.

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In 22 States there are no minimum-wage laws whatsoever to protect women in industries operating largely within the State and therefore not covered by the Federal Fair Labor Standards Act. Further, the minimum-wage rates in effect are too low in many cases. The 25-cent minimum in the Federal Act for the first year of operation is far below any approved wage standard for American industry, since, with the 44-hour standard week, it makes possible a weekly wage of only \$11. In the second year of operation, with a 30-cent minimum wage and a 42-hour week, the weekly wage will still be below living costs. Though rates usually are higher than this under State minimum-wage laws, there still are wage rates of \$10 to \$14 a week under several State laws. Other States that have established minimum rates of \$16 to \$18 a week show that wages more nearly approaching the cost of living can be required. (Cost-of-living figures, page 8.)

Long hours of work are not the problem they once were for women workers, but excessive hours still are reported from out-of-the-way sections of the country. The Federal Fair Labor Standards Act, with its provision for a 44-hour standard week in 1938-39, a 42-hour week in 1939-40, and a 40-hour week thereafter, promises to help do away with these bad hour conditions in manufacturing industries. But long hours persist in household employment, agricultural labor, canneries and packing or processing plants, because even where a 48-hour week has been introduced under State law it usually does not apply to such industries.

Throughout the country much remains to be done to improve the provisions for unemployment relief and social security. Unemployment insurance is paid for only limited periods of unemployment and in many States the benefits are not enough to live on. State and local relief systems likewise do not cover the need.



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Another present-day problem is the poor health and poor medical care of the people in the world's richest country. Every year 14,000 women die from childbirth or pregnancy. From one-half to two-thirds of these deaths could be prevented if proper care were given to the mothers of America. About 145,000 infants die before birth or during the first month after birth, and at least one-third of these deaths could be prevented. Tuberculosis, cancer, and venereal diseases all take an unnecessary toll.

Finally, working women, with all other women, still face a lingering discrimination against their sex in educational privileges, in the opportunity to serve in public office, in jury service, and in exercising many of the other rights and duties of citizens. Married women particularly are under attack in some parts of the country when they seek to function as workers, especially in the public service.

Thus women workers have a double battle to fight today. They must strive to maintain and advance the position of their own sex to an equality with the best that men have attained and at the same time struggle to advance the interests of all workers. In doing both these things they will help to solve the problems that face the American people and make this country a better place in which to live and to work.

