

**LABOR'S ROLE IN GAINING WAGE INCREASES AND OTHER BENEFITS  
FOR WORKERS IN METROPOLITAN ATLANTA WITH  
PARTICULAR EMPHASIS ON THE CONSTRUCTION  
AND GENERAL LABORERS UNION  
LOCAL NO. 438**

**A Thesis**

**Submitted to the Faculty of the School of Business  
Administration, Atlanta University, In Partial  
Fulfillment of the Requirements for the Degree  
of Master of Business Administration**

**By**

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## **CHAPTER I**

### **INTRODUCTION**



## CHAPTER I

### INTRODUCTION

#### Statement of the Problem

Some industrial managers in recent years have claimed that unions are not responsible for benefits which workers are now receiving from their employers. The industrial managers in many cases state that the employees would receive the same consideration from management without the aid of union representatives. Such benefits as pension plans, health and accident insurances, shorter work weeks, increases in real wage income, and promotions on the basis of merit, would have been achieved without the aid of labor unions.

#### Significance and Scope

In this thesis an attempt is made to evaluate meaningfully the role labor has played, and is playing in improving the position of workers in the labor market. It is believed that the information herein will also serve as a basis for raising some questions concerning the validity of statements put forth by some industrial managers that unions do not serve any useful purpose as far as improving the position of laborers is concerned.

This paper presents facts which may be evaluated showing some of the trials, tribulations, barriers, and discouragements which are suffered by unions in their attempts to organize and improve the overall position of wage earners.

Some of the successes of labor are presented along with some of the unfortunate encounters so all can read and formulate opinions regarding labor's importance and role in organizing and upgrading workers. Because labor activities involve a public interest, sections of law which affect unions and their organizing attempts are presented as a portion of this thesis.

### Methodology

The approach adopted in this study has involved an examination of literature published by the AFL-CIO, various books in the area of labor relations, personal interviews, and observations of preceedings conducted by the National Labor Relations Board.

It is not claimed that this paper covers every detail which encompasses labor's encounters in its organizing and upgrading activities. It is, however, an attempt to present a comprehensive coverage of labor's role in organizing and gaining benefits for workers with particular emphasis on the Construction and General Laborers Local Union 438 affiliated with the American Federation of Labor, International Hod

**Carriers Building and Common Laborers Union of America,  
Atlanta Building and Construction Trades Council, Georgia  
Federation of Labor and the Atlanta Federation of Trades.**

## **CHAPTER II**

### **THE LAW AND UNION ORGANIZATION**

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### THE LAW AND UNION ORGANIZATION

#### History of Labor Law Before 1935

Because unions engage in activities which affects the public interest, historically they have been controlled by various government edicts. Some of the edicts have been in favor of unions and some have been in favor of employers. During the early period of government regulation unions suffered many discouragements, but discouragements did not stop their growth.

The first groups to organize into unions were the shoemakers, carpenters, printers, bakers, and tailors, beginning in 1790. It was not long however before industrialists who frowned upon early unions, were able to secure restrictive measures against unions from the courts. One of the first barriers designed to restrict the activities of labor was the Conspiracy Doctrine. This ancient doctrine of conspiracy was brought out and applied to "labor combinations in restraint of trade." Although there was not anything unlawful in combination itself, not anything unlawful in an individual's refusal to work, and not anything unlawful in a workman's desire to obtain better standards of employment, the early

judges acting as allies of the industrialists found that it all added up to a conspiracy. In the famous Philadelphia Corwainers' Case of 1806, the learned judge declared: "A combination of workmen to raise their wages may be considered in a two-fold point of view: One is to benefit themselves... the other is to injure those who do not join the combination . . . The rule of law condemns both . . . Hence the workers were jailed and fined."<sup>1</sup>

The judges were reasoning from a socio-economic point of view. According to Bloom and Northrup, unions were regarded as a threat to the status quo of society of which they were a part. They believed if the workers became strong enough they would take away the profits from the industrialists. As time passed more reasoned justice asserted itself. In 1842 Chief Justice Shaw of the Massachusetts Supreme Court dealt the criminal conspiracy doctrine a severe blow by ruling in effect that the legality of a strike depended upon the end sought, and the mere purpose of requiring all workers to join a union (close shop) was not per se illegal.<sup>2</sup> The ruling destroyed the idea that all combinations on the part of early labor

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<sup>1</sup>Gordon F. Bloom and Herbert R. Northrup, Economics of Labor Relations, (Fourth edition), Homewood, Illinois: Richard D. Irwin, Inc., 1961, p. 43.

<sup>2</sup>Ibid., p. 43.

unions were plots to destroy the free enterprise system.

It was not long before industrialists found other means to keep organizing workers in their places. The major restrictive means were the use of the labor injunction and the application of the Sherman Act when dealing with organized labor. Through the application of the labor injunction employers could petition an equity court to prevent the activities of unions even before they began. This injunction procedure was designed to circumscribe control of union conduct calculated to cause injury to the property rights of employers. The injunction was particularly injurious to the activities of unions in that the judge of the equity court who generally issued the injunction, was the same judge that would determine when the injunction had been violated. It may be noted that prior to 1931 judges had issued 1,845 injunctions against unions while unions were able to obtain only 43 against employers.<sup>1</sup>

The conspiracy doctrine as applied to workers' associations was an important interpretation of common law. Briefly, it was that trade or commerce either within a state or among the states was interpreted to be illegally restrained under the circumstances: (a) If the public was injured by being cut off from access to a commodity maker; (b) if competition was hampered among employers; or, (c) if employers were prevented in any fashion from free access to the labor

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Fred Witney, Government and Collective Bargaining, (Chicago, Illinois: J. B. Lippincott Company, 1951), p. 43.

markets.<sup>1</sup> In other words almost any action taken on the part of labor unions could be interpreted as an act in restraint of trade. The Sherman Anti-Trust Act of 1890 was often used to restrict the activities of labor unions. In 1908 the Supreme Court used the Sherman Act in the Danbury Hatters case to prevent nation-wide boycotts on the part of unions. It was ruled in that case that a combination of the hatter workers was a "combination" in restraint of trade.<sup>2</sup>

Legislation after 1890 began to take on a mild acceptance of labor. Perhaps the change of heart on the part of the legislatures and the courts was due to the growth of the labor movement and unions strength as lobbyist in the various legislative chambers, and their ability to elect members to the legislative chambers. One may note the change of heart by an examination of the Clayton Act.

The Clayton Act of 1914 has a section which states:

The labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor . . . organization instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying

<sup>1</sup>  
United Steelworkers of America, Work for Rights, A Report Prepared by the United Steelworkers of America, (Pittsburgh, Pennsylvania: United Steelworkers of America, 1942), p. 9.

<sup>2</sup>  
Witney, op. cit., p. 74.



out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the anti-trust laws.<sup>1</sup>

Despite the passage of the Clayton Act, management continued to use the labor injunction in restricting union activity. Some workers were required to sign a contract with employers on the employers terms in order to work. These contracts which came to be called "yellow-dog" contracts, were upheld by use of labor injunctions. The United States Congress within the limits of its jurisdiction sought to outlaw "yellow-dog" contracts in a number of measures. Finally, in the Norris-LaGuardia Act of 1932, Congress affirmed the freedom of association and action of workers and declared "yellow-dog" contracts contrary to public policy and non-enforceable in any federal court.<sup>2</sup>

#### The National Labor Relations Act of 1935

The Wagner Act spells out the basic rights of management and unions under the terms of collective bargaining. This act was designed with the intent of decreasing the causes of labor disputes and to increase the purchasing

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<sup>1</sup>William H. Kiekhofer, Economic Principles, Problems and Policies, (New York: Appleton-Century-Crofts, Inc., 1951), pp. 178-179.

<sup>2</sup>Ibid., p. 170.

power of workers in order to bring America out of the depression of the thirties. It is stated in Section 1 of the act that:

The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent of the necessary effect of burdening or obstructing commerce by (a) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (b) occurring in the current of commerce; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods from or into the channels of commerce, or the prices of such materials or goods in commerce; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing from or into the channels of commerce.<sup>1</sup>

After the passage of the National Labor Relations Act, unions began to spring up all over the south in almost every area of economic activity.

The Taft-Hartley Act of 1947 which amends the National Labor Relations Act established rules requiring collective bargaining between employers and representatives of employees.. Section 8(d) of the Act states that:

The policy of the United States is to be carried out by requiring an employer and the representative of his employees to meet at

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<sup>1</sup> Witney, op. cit., p. 676.

reasonable times, to confer in good faith about certain matters and to put into writing any agreement reached if requested by either party. The parties must confer in good faith with respect to wages, hours, and other terms or conditions of employment; the negotiation of an agreement, or any question arising under an agreement.<sup>1</sup>

These obligations of the Taft-Hartley Act are now imposed equally on the employer and the representatives of his employees. It is an unfair labor practice for either party to refuse to bargain collectively with the other. The obligation does not, however, compel either party to agree to a proposal by the other, nor does it require either party to make concessions to the other. In cases where no agreement can be reached by the bargaining parties, usually the dispute is settled by a strike or arbitration.

The inequality of bargaining power between employees who were not possessed with full freedom of association or actual liberty of contract, and employers who were organized in corporate or other forms of ownership associations substantially burdened the economic position of workers by depressing wage rates and the purchasing power of workers in the various industries.<sup>2</sup> Singly, one employee was helpless

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<sup>1</sup> National Labor Relations Board, A Layman's Guide to Basic Law Under the National Labor Relations Act, (Washington: U. S. Government Printing Office, 1964), p. 7.

<sup>2</sup> Witney, op. cit., p. 676.

in dealing with an employer. If he thought he was receiving an unjust wage and asked for an increase, the employer was not under any duty to make the requested adjustment. This has been one of the main reasons for union organizations historically, and the organization of the Construction and General Laborers Union Local 438. It is conceivable that had not the National Labor Relations Act been passed in 1935 the Construction and General Laborers Union Local 438 would perhaps not come into existence until a later time.

#### The Construction and General Laborers Union

The Construction and General Laborers Union came into existence in 1937 under the direction of Mr. John S. Turner, Senior. Construction workers were in great supply in 1937. The supply greatly exceeded the demand. As a result the workers were forced to work for any wages offered by the employers. Some of the construction workers were earning only three dollars a week.<sup>1</sup> Because of the depressing wages and continuous heated conflicts between the workers and those seeking employment, Mr. John S. Turner organized a group of workers and petitioned the National Labor Board to hold an election. The workers voted in favor of unionization, and this was the beginning of Local 438 of the Construction and General Laborers Union.

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<sup>1</sup> Interview with R. J. Bennett, Business Representative of the AFL-CIO, Construction and General Laborers Union Local 438, May 19, 1966.

On June 8, 1937 the first meeting was held at 143½ Auburn Avenue, North East, Atlanta, Georgia. The 25 union members elected Mr. John S. Turner, Sr., as president of the union.<sup>1</sup> The union was very weak in its early years. It was not strong enough to make any great demands on employers because many firms were unable to grant increases in wages without damaging their liquidity position. The depression of the thirties had left many companies on the ebb of bankruptcy. After 1945 the Construction and General Laborers Union gained strength in their bargaining position. This was due to an increase in membership and the healthy growth trend in the building trades.

In 1947 the Negotiating Committee of the union consisting of John S. Turner, Sr., Henry B. Smith and John B. Huff drew up a set of working rules, (see Appendix I, Section 22)<sup>2</sup> establishing that the minimum wage for unclassified laborers shall be eighty-five cents an hour, semi-skilled laborers ninety-five cents an hour, highway construction workers one dollar an hour, wagon drill operator one dollar and ten cents an hour, powder men one dollar and thirty-five cents an hour, and foremen one dollar and thirty-five cents an hour.<sup>3</sup> This

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<sup>1</sup>Interview with R. J. Bennett.

<sup>2</sup>Construction and General Laborers Local Union 438, Working Rules, (1947), p. 10.

<sup>3</sup>Ibid., pp. 16-18.

set of rules created new directions for those workers that had not joined the union and caused many of them to join the expanding union roll book. In 1948 there was a five cents across the board increase in wages for all the members of the union.<sup>1</sup>

In spite of the passage of Section 14(b) of the Taft-Hartley Act and the Georgia Right to Work law, the growth of Local Union 438 continued into the fifties. Apparently the benefits gained by the union had a great deal to do with its continued membership growth. In Section 1, Appendix I, it is stated that union members are to be given priority in jobs in the construction trades.

In 1950, Fuller Richardson was elected president of the local union, C. T. Page, Secretary, and E. E. "Tiny" Morris, Business Representative.<sup>2</sup> Between 1950 and 1956 these men, acting as negotiators for the union, were able to make important gains in wage increases (see Appendix IV).<sup>3</sup> In 1957, W. W. Wilson was elected Business Representative to replace E. E. "Tiny" Morris.<sup>4</sup> Under Wilson's negotiations with the

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<sup>1</sup> Ibid.

<sup>2</sup> Construction and General Laborers Union Local Union 438, Working Rules, (1950), p. 18.

<sup>3</sup> Construction and General Laborers Union Local Union 438, Working Rules, (1957), p. 10.

<sup>4</sup> Working Agreement By and Between Construction and General Laborers Local Union 438, 1950 and 1955.

Associated General Contractors of America, a time schedule was instituted for the first time establishing when increases in wage rates were to become effective. (see Appendix III)<sup>1</sup> Before Wilson's death in 1966, there was a big jump in wages and an insurance plan was put into effect. Membership in Local 438 was increased from 25 in 1937 to over 3,700 in 1966. (see Appendix IV)<sup>2</sup>

After the death of W. M. Wilson, R. J. Bennett became Business Representative of the Construction and General Laborers Union Local 438. According to Mr. Bennett, employers have continued to resist any changes in wage increases or increases in "fringe" benefits. The gains made by the representatives of Local Union 438 of the Construction and General Laborers have resulted from strong union pressure on the Associated General Contractors of America, Incorporated and other construction firms.<sup>3</sup>

When R. J. Bennett was asked how has the Georgia "right to work" law influenced his negotiations with construction

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<sup>1</sup>  
Working Agreement By and Between Construction and General Laborers Local Union 438, 1957.

<sup>2</sup>  
Working Agreement By and Between Construction and General Laborers Local Union 438, 1964.

<sup>3</sup>  
Interview with R. J. Bennett, Business Representative AFL-CIO, Construction and General Laborers Local 438, June 8, 1966.

companies, he responded in a negative tone. He said, "there is no such thing as a 'right-to-work' law." He went on to state that what we do have in Georgia is a "right-to-wreck" law. He also stated that Section 14(b) of the Taft-Hartley Act which permits states to enact right-to-work laws has caused unionists in the 19 states which have enacted such laws more discouragements than any other section of the law. He added the term "right-to-work" is a misleading concept used for union bursting, since any rights which employees have are at best conditional. A person does not have the right to work on any job without being hired and expect to be applicably paid. It seems that if "right-to-work" really meant what is said, employers would have to allow any person to work whenever he seeks employment. This is, however, not the case. Workers at any plant or office have to accept certain conditions of employment. They must be qualified for the job which they are seeking. They must report to work on or at a certain time, and they must work a certain number of hours as outlined by the employer.<sup>1</sup> One of the main objections of R. J. Bennett, was having to represent all of the workers in an organization regardless of their union status. Section 14(b) of the Taft-Hartley Act permits workers to receive benefits free for which other workers are paying to receive.

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<sup>1</sup>Ibid.



On the basis of the information presented in this chapter, it may be seen that governmental edicts have had various effects on union organization. The conspiracy Doctrine was designed to render unions weak and ineffective against entrepreneurs. The Clayton Act of 1914 recognized unions as not necessarily being an evil force having the purpose of restraining trade, but rather a group of workers having the legitimate object of seeking to better themselves. Then the Norris-LaGuardia Act of 1932 made it unlawful for employers to force workers to sign contracts which would restrain them from joining unions. The National Labor Relations Act of 1935, known as the Wagner Act, states rules which management must follow while bargaining collectively with unions. This piece of legislation was pro-labor. Some legislators particularly Robert Taft and Fred Hartley thought that unions had grown too powerful. They, therefore, joined forces and sponsored legislation to restrain some of union's power. This resulted in the Taft-Hartley Act of 1947 which among other things rendered the close-shop illegal.

Another piece of legislation which had influenced union activity was the Labor Management Reporting and Disclosure Act of 1959 which restrained the corruption of

some union officers. From these edicts one may conclude that governmental edicts have helped unions as well as restrained them. Where The National Labor Relations Act served as a "Magna Carta" to labor, Section 14(b) of the Taft-Hartley Act, according to the Business Representative, R. J. Bennett, has served to "wreck" unions. This may well be the attitude of most union officials in those 19 states which have "right-to-work" laws. Perhaps by examining the issues and attitudes of union organizational efforts one may evaluate how governmental edicts have helped as well as restrained unions.

### **CHAPTER III**

#### **ISSUES, ATTITUDES, AND LOCAL ORGANIZATIONAL EFFORTS**

## CHAPTER III

### ISSUES, ATTITUDES, AND LOCAL ORGANIZATIONAL EFFORTS

The cliché which says "together we stand, divided we fall," represents the attitude apparently taken by unions in their organizational attempts. The belief is that organized workers who bargain collectively are more likely to gain improvements in working conditions and increased benefits than workers who are unorganized. If an unorganized worker complains to an employer concerning his working conditions, he might be told that if he does not like the job he may quit. After hearing an answer like this from his employer, the worker often chooses the alternative of seeking union organization.

#### Organizing Obstacles

The process of union organization is conducted by rules established by the National Labor Relations Board. The initial step in union organization is taken by the workers. This step is taken when workers feel that the union is the only means through which they can improve their bargaining position and receive consideration from their employer.

In many instances a respected person, working for a company where the workers feel that they are being mistreated by the "boss," will emerge as the organizational leader.

Generally after the organizational leader has gained sufficient support from his fellow employees, he might call members of other local unions which are associated with his type of work, to aid him in his organizing efforts. Of course there may well be a great deal of danger in becoming the organizational leader, because once an anti-union boss finds out about the talk of union organization and discovers who is leading the effort, he is generally fired. A former employee indicated that such an incident occurred when the employees of the New Era Publishing Company, a weekly newspaper in DeKalb County, Georgia, attempted to organize a union. He said that in an effort to prevent union organization, the company fired the three workers acting as organizing leaders, and openly discriminated against those workers who were union sympathizers. More specifically, he stated that although the company generally gave bonuses to all employees each Christmas, in 1965, three workers that were known to be sympathetic with the union did not receive their usual bonus. But, at the same time, one of the workers who had allegedly served the company as a spy

still received his yearly bonus.<sup>1</sup>

It was charged that the New Era Publishing Company even acted in bad faith when the election was conducted by the National Labor Relations Board. "When the union election was held by the National Labor Relations Board, the company encouraged a person to vote who had acted in a pseudo-managerial or managerial position to vote," which, if true, was a violation of the National Labor Relations Act.<sup>2</sup> When the votes were counted there were five in favor of union organization, three against union organization, and two contested votes.<sup>3</sup> Subsequently, the Atlanta Printing Pressman and Assistants Union Local 8, a subdivision of International Printing Union, entered the contest. Local 8 contended that two of the voters had been acting as supervisors for the New Era Publishing Company which made them ineligible to take part in the voting. The union also argued that the company violated

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<sup>1</sup> Interview with Henry Cobb, former employee of New Era Publishing Company, July 5, 1966.

<sup>2</sup> Ibid.

<sup>3</sup> Interview with Carl Uehlein, Attorney for the National Labor Relations Board, June 28, 1966.

Section 7 and Section 8(a) of the Labor-Management Relations Act of 1947.<sup>1</sup>

On June 28, 1966 a hearing was called by the National Labor Relations Board at which time the New Era Publishing Company agreed to recognize the union and to rehire the three fired workers with back pay.

Of course, many dismissed leaders who participate in union organizational activities are not rehired by their former employers. Sometimes they are placed on a blacklist and labeled as troublemakers as punishment for attempting to organize a union. Despite these barriers, workers continue to form union organizations.

#### Organizing Procedures, Issues, and Problems

Once organized, a local still faces many issues. The Construction and General Laborers Local Union 438, affiliated with laborers International Union of North America, AFL-CIO, has actively aided workers in the metropolitan Atlanta area in organizing themselves into unions. They have also worked to gain increased benefits for these workers after they have become organized. According to

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<sup>1</sup>  
Ibid.

Mr. Bennett, it is the belief of Local 438, as is perhaps true with labor generally, that by organizing workers into unions and increasing their membership, they are placed in a stronger bargaining position. When a group of workers request organizing help from this union, C. W. Wilson, the organizer, Don Dennison and O. S. Hamilton, the International Representatives, arrange a meeting with the workers. During this meeting they tell the workers of some of the barriers which the "boss" will use in trying to prevent their organization. One of their informative leaflets entitled "Scared Stiff", reads:

Nothing "freezes" people like fear! To be "scared stiff" is to be too frightened to move! That's why fear is the guts of every boss-inspired program to beat down unionism. Workers who are scared can not move. Unionism means movement...Forward movement toward a greater share of wealth and security. To those who would deny workers that greater share, "scaring them stiff" is his best way to hold them in place.

Scare tactics take many forms. Rumors are spreaded that the company may move if unionized, scare-talk about strikes and violence, inflated stories about union dues and assessments. Luckily for everyone, they often do not work. Most of the time American working people have not allowed themselves to be scared out. They joined and built unions and with them built the highest standards of living ever known. Their courage brought such progress as paid vacations and holidays, family hospitalization plans, pensions and many other great benefits which have strengthened America.<sup>1</sup>

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<sup>1</sup>Laborers' International Union of North America, AFL-CIO, Scared Stiff, L. T. U. - 21.



After workers had been informed, C. W. Wilson would request the workers to sign a petition insuring the union that they wished to organize. This petition which must contain the signatures of thirty per cent of the workers is presented to the National Labor Relations Board. The National Labor Relations Board will conduct a hearing. After the hearing has been held, if the employees favor an election the National Labor Relations Board will schedule a date for the election. A notice will then be sent to the employer with instructions to post the notice in a place where all the workers can see it when they come to work. Before the National Labor Relations Board will conduct the election it will determine if the company is covered by the National Labor Relations Act. The Board also sets forth in its directives who will be allowed to vote.

The Construction and General Laborers Union, Local No. 438 affiliated with the Laborers International Union of North America petitioned the National Labor Relations Board in January, 1966 to issue an election directive to the management of the Best Concrete Products Company in Atlanta, Georgia. The directive issued reads as follows:

An election by secret ballot will be conducted by the undersigned Regional Director among the employees in the unit found appro-

priate at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit who were employed during the payroll period immediately preceding the date below, including employees who did not work during that period because they were all, on vacation, or temporarily laid off. Also eligible are employees engaged in an economic strike which commenced less than 12 months before the election date and who retained their status as such during the eligibility period and their replacements. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have been discharged for cause since the designated payroll period and employees engaged in a strike who have been discharged for cause since the commencement thereof, and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether (or not) they desire to be represented for collective-bargaining purposes by Construction and General Laborers Union, Local No. 438 affiliated with Laborers International Union of North America.<sup>1</sup>

This directive was signed by Walter C. Phillips, Regional Director for the Tenth Region on March 28, 1966. As a result of this directive an election was held and a union was organized at the Best Concrete Products Company.

After a union has been organized, then R. J. "Bob" Bennett and his Negotiating Committee began work to achieve benefits for the workers. Generally organizing

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<sup>1</sup>  
U. S., National Labor Relations Board, Case No. 10-RC-6592, March 28, 1966, p. 1.

and bargaining efforts have been most successful as shown by the tables in the Appendixes, but on rare occasions they have found it necessary to strike to achieve their goals. Such a time occurred in December, 1965 when the Construction and General Laborers Local Union 438 affiliated with the Laborers International Union of North America went on strike against the S. S. Curry Company for insufficient wages. The Georgia Supreme Court used Section 14(b) of the Taft-Hartley Act in an attempt to force the strikers back to work. According to R. J. Bennett, usually when labor injunctions had been issued by the courts they were obeyed without contest. In this instance, however, with the aid of Laborers International Union of North America the union was able to appeal the case to the United States Supreme Court.<sup>1</sup>

The Local held that the S. S. Curry and Company paid wages on the job that were under the prevailing scale in the Atlanta area. The union also charged that the Curry contract with the City of Atlanta required that pay scales conform to those of similar kinds of work, but Atlanta city officials said that they could do nothing to enforce the requirements. The union argued

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Interview with R. J. Bennett, Business Representative AFL-CIO, Construction and General Laborers Union Local 438, May 15, 1966.

that the temporary injunction issued by the Georgia Supreme Court violated the rights to free speech and invaded an area under exclusive jurisdiction of the National Labor Relations Board.<sup>1</sup>

Curry and Company contended that the picket line was set up after the Company refused a demand to use union labor exclusively on the job. The union's conduct, Curry said, violated the right-to-work statutes of Georgia.<sup>2</sup>

In rendering the decision of the United States Supreme Court in this case, Justice White said the Georgia Supreme Court had no authority to issue the injunction because the controversy was within the exclusive jurisdiction of the National Labor Relations Board.<sup>3</sup>

Because of the changed attitude of the courts toward unions, they are now able to continue their work for increased benefits for their members. On April 13, 1966, Local Union No. 438 of the Construction and General Laborers Union, sent a letter to its members which read

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<sup>1</sup>  
Ibid.

<sup>2</sup>  
Ibid.

<sup>3</sup>  
Ibid.

as follows:

LABORERS LOCAL UNION NO. 438 HEALTH & WELFARE FUND  
SUITE 938  
15 Peachtree Street, N.E.  
Atlanta, Georgia 30303

April 13, 1966

Dear Eligible Members:

The Board of Trustees are pleased to advise that due to the favorable experience of the Trust during the past year, benefits available to you and your eligible dependents have been increased. Effective April 1, 1966, the following changes have been made:

1. A Weekly Income (time loss) Benefit of \$30.00 a week for thirteen weeks starting on the first day of disability from accidents and the eighth day of disability from sickness was added for you.
2. Your Room and Board Benefit was increased to the average cost of a Semi-Private Room.
3. The Room and Board Benefit for your eligible dependents was increased to \$14.00 per day.
4. Dependent Life Insurance in the amount of \$500 for wives and children from six months through age 19 was added.
5. In-Hospital Medical Benefits in the amount of \$4.00 per day for a maximum of 31 days was added for you and your eligible dependents.
6. Due to Medicare, effective 7-1-66, medical benefits will be eliminated on all eligible employees and their dependents who reach age 65.

A new certificate-booklet describing these benefits more fully will be available later. If you have any questions in the meantime, please do not hesitate to let us know.

Sincerely yours,

Board of Trustees<sup>1</sup>

This represents the continuous gains that result from union negotiations with the Associated General Contractors of America, Incorporated. These contractors have granted increased benefits after long and tiring negotiations with the union representatives of the Construction and General Laborers Union Local No. 438.

Since the management of many firms which deal with the Construction and General Laborers Union do not desire to see unions organize, they often go to great expense to prevent their organization. It was alledged by C. W. Wilson, organizer of Local Union 438, that managers often hire lawyers who specialize in "union bursting" to represent them before the hearings conducted by the National Labor Relations Board, fire workers engaged in organizing attempts, discriminate against union sympathizers, and try to convince the workers that the union is bad for them.<sup>2</sup>

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<sup>1</sup>Letter from Board of Trustees, Construction and General Laborers Union, AFL-CIO, Local Union No. 438. Atlanta, Georgia, April 13, 1966.

<sup>2</sup>Interview with C. W. Wilson, Organizer, AFL-CIO Construction and General Laborers Union Local 438, July 5, 1966.

Management may well reason from the position that unionization will force wage increases, result in new and fringe benefits increases which they are not willing to grant. Typical of management attitudes is a letter sent to the employers of Vulcan Materials Company after the company discovered that the workers were considering unionization.

Vulcan Material Company  
Concrete Products Division  
Atlanta, Georgia  
May 22, 1966

Dear Fellow Employee:

I am sending this letter to your home because it concerns a subject which is important to every member of your family, as well as yourself.

As you know your Company has agreed to have the U. S. Government hold a secret ballot election. We want you to decide for yourselves whether you will continue to deal with us, man to man, or have a Union do your talking for you.

I personally do not believe that any outsider from Laborers Union can help solve problems that may exist. Instead, I believe that the best way to solve problems is to work together without any interference from outsiders.

Union organizers will promise you anything to win your vote, but ask these Union organizers if they can guarantee to make good all their promises if the Union should win the election.

All the Union can get is the right to sit down and bargain with the company. As long as your Company performs in good faith, it does not have to give in to Union demands or make concessions to the Union.

Have you asked yourself why the Laborers Union is suddenly so interested in you? The answer is simple. They are not interested in you or your family but they are very interested in the dues and fees they can collect from you to pay the big Union bosses. Your Company provided you a good benefit program without the help of a Union. Attached is a summary of these benefits.

These paid Union bosses and employees got almost \$2 million in salary and expenses last year alone. The national president of this Union that wants to partially represent you made over \$50,000 last year.

If you added it all up, you can see that it takes the dues from a lot of workers just to pay the salary and expenses of these Union officials.

BASIC BENEFITS FOR HOURLY PAID EMPLOYEES IN THE  
CONCRETE PRODUCTS DIVISION  
(CONCRETE PIPE PLANT)

### HOLIDAYS

Eligible employees receive 5 paid holidays each year as follow:

New Year's Day	Labor Day	Christmas
Independence Day	Thanksgiving Day	Day

Pay is based on 8 hours pay to the employee's regular straight time hourly rate.

### VACATIONS

Eligible employees are granted vacation with pay each year in accordance with the following schedule:

<u>Years Service</u>	<u>Weeks of Paid Vacation</u>
1 - 5	1
5 - 15	2
15 or more	3

Each week of holiday pay is based upon 40 hours time computed at the employee's current straight time hourly



rate of pay.

#### LIFE, HOSPITAL AND SURGICAL INSURANCE

Provided by the Company without cost to eligible employees. Employees may subscribe at their own cost for Hospital and Surgical coverage on their eligible dependents.

#### ACCIDENT AND SICKNESS BENEFITS

Provided by the Company in the form of limited weekly indemnity for eligible disable employees.

#### PENSION PLAN

Provided by the Company for eligible employees for the purpose of supplying retirement income and also to provide disability benefits for eligible employees who become totally and permanently disabled.

What does the Union get from you? - your money.

What do you get from the Union? - Representation at the cost of dues and initiation fees.

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In my opinion, the smartest thing we can do is keep the Union out of our plant.

Remember, the only thing that counts is how you vote on election day. Even if you have signed a Union card, you are 100% free to vote "NO" on May 26.

Sincerely,

/s/

George Hargeatt<sup>1</sup>

It might be noted according to C. W. Wilson, organizer of Local Union 438, that none of the workers

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Letter from George Hargeatt to employees of Vulcan Materials Company, Concrete Product Division, Gainesville, Georgia, May 22, 1966.

were receiving all of the benefits mentioned in the letter, although, a few employees were receiving some of the benefits. However, benefits received were limited to those workers who were, in the opinion of the employer qualified, without any real regard for seniority.<sup>1</sup>

The Construction and General Laborers Local Union 438 has encountered many issues and attitudes in local organizational efforts. It must overcome the fear instilled in workers by the employers to get the workers organized. It must also devise techniques to overpower anti-union employers who do all within their power to prevent union organization. Many employers employ specialist trained in union bursting techniques to draft letters designed to discourage employees from joining unions. Some employers seek to throw the elections by allowing non-qualified employees to vote in the elections with the purpose of defeating union organization.

This practice, however, is not as prevalent as it has been in the early history of labor elections. Perhaps this is due to actions taken under The National Labor Relations Act of 1935 by the National Labor Relations

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Interview with C. W. Wilson, organizer, AFL-CIO, Construction and General Laborers Union Local 438, July 5, 1966.

Board. An illustrative example is the case involving the New Era Publishing Company. Another practice which is not as prevalent as it once was, but is still very useful is the labor injunction. Employers would petition the courts to issue injunctions against The Construction and General Laborers Union before a strike would start. Despite the tactics used by employers, The Construction and General Laborers Union Local 438 has continued to grow in membership, and with this growth in membership there has been an increase in wage and fringe benefits gained through the activities of the officials of The Construction and General Laborers Union Local 438.

## **CHAPTER IV**

## **CONCLUSION**

## CHAPTER IV

### Conclusion

This thesis has presented some of the problems encountered in organizing and gaining increased benefits for laborers in the Metropolitan Atlanta area with particular emphasis on the role of the Construction and General Laborers Local Union 438 affiliated with Laborers' International Union of North America, AFL-CIO, The American Federation of Labor, International Hod Carriers, Building and Common Laborers Union of America, Atlanta Building and Construction Trades Council, Georgia Federation of Labor and the Atlanta Federation of Trades.

Historically workers have found it difficult to organize themselves into unions and work effectively toward achieving increases in real wages and insurance benefits. Employers with the support of judges and legislator were able to make the unions almost impotent prior to the enactment of the Norris LaGuardia Anti-Injunction Act of 1932. The Wagner Connery National Labor Relations Act of 1935 also prohibited the use of "yellow-dog" contracts. This act provided rules by which unions were to

be organized. It also issued directives to employers informing them of what practices were considered to be illegal. For example, violations of section 8(a) (1) were:

1. Threatening employees with loss of jobs or benefits if they join or vote for a union.
2. Threatening to close down if a union should be organized in it.
3. Questioning employees about their union activities or membership in such circumstances as will tend to restrain or coerce the employees.
4. Spying on union gatherings, or pretending to spy.
5. Granting wage increases deliberately timed to discourage employees from forming or joining a union.<sup>1</sup>

The legislation of the National Labor Relations Act, however, has not been properly enforced in the south.

Therefore, there are continuous abuses on the part of employers. One example is the case of the New Era Publishing Company firing workers that were attempting to organize into a union.

The National Labor Relations Board needs to impose fines on employers to prevent them from engaging in union

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<sup>1</sup>

National Labor Relations Board, op. cit., p. 21.

bursting activities. So long as employees can discourage union membership they can continue paying depressing wages. The Board also needs to increase its staff. Often when petitions are filed asking for a hearing, or contesting an election, it takes the board as long as six months to grant a hearing and render a decision. This causes serious economic losses to workers in wages and job security.

In 1937 John S. Turner, Sr., organized twenty-five workers to form the Construction and General Laborers Union Local No. 438. This union has grown continuously. In June, 1966, the membership of the Construction and General Laborers Union had grown to 3,780 workers. However, about 500 of the workers are seasonal. The seasonal workers are largely farm laborers. They leave the farms after the crops have been picked or harvested and come to Atlanta to work. These workers are important in that they increase the membership of the union and thereby increases its bargaining strength.<sup>1</sup>

The increases in pensions, health and insurance plans, and wages which construction and general laborers of the

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Interview with R. J. Bennett, Business Representative, AFL-CIO, Construction and General Laborers Union Local No. 438, July 8, 1966.

Construction and General Laborers Union, Local No. 438 have received seems to have come about through the negotiations and organizational efforts of the representative of the Construction and General Laborers Local Union 438 affiliated with Laborers' International Union of North America, AFL-CIO, The American Federation of Labor, International Hod Carriers, Building and Common Laborers Union of America, Atlanta Building and Construction Trades Council, Georgia Federation of Labor and the Atlanta Federation of Trades.

Mr. R. J. Bennett, Business Representative of Local Union 438 of the Construction and General Laborers Union, says that there are barriers which are still interfering with the strength of unions. The major one being the "right-to-work" law. Unionists arguments that this law, which places a burden upon unions should be repealed seems justified. It does not seem democratic for laborers who do not pay union dues to receive the same equal benefits which are won by dues paying members. The National Labor Relations Act directs that in an organized plant the union must speak for all the employees. The free-loaders are receiving rights for which their fellow employees are paying. This, union leaders hold, is against the principles



of democracy, and it is a mortal blow directed toward the disorganization of laborers in the Metropolitan Atlanta area, Georgia, and in other areas where the "right-to-work" laws are in force.

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## **APPENDIX**

APPENDIX I**Working Rules of Construction  
and General Laborers****Local Union 438****Jurisdiction & Classification of Work**

Tenders--Tending mason, plasterers, carpenters and other building and construction crafts and mixing, handling and conveying of all materials used by masons, plasterers, carpenters and other building and construction crafts whether done by hand or by any other process, drying, of plastering when done by salamander heat and cleaning and clearing of all debris.

Scaffolding--Building of scaffolding and staging for mason and plasters.

Excavating and Foundations--Excavation for building and all other construction; digging of trenches, piers, foundations and holes; digging lagging, sheeting, bracing and propping of foundation holes, caissons, cofferdams, dams and dikes.

Concrete and Forms--Concrete for walls, foundations, floors, or for any other construction; mixing, handling, conveying,

pouring, gunniting, and otherwise applying concrete whether done by hand or any other process and wrecking, stripping, dismantling and handling concrete forms and false work; building of centers for fireproofing purposes.

Streets, Ways, Bridges--Work in the excavation, preparation, concreting, paving, ramming, curbing, and surfacing of streets, ways, courts, underpasses, overpasses and bridges and the grading and landscaping thereof and all other semi and unskilled labor connected therewith.

Trenches, Manholes, Etc.--Cutting of streets and ways for laying of conduits for all purposes; digging of trenches, manholes, etc., handling and conveying all materials for same; backfilling, grading and resurfacing of same and all other semi and unskilled labor connected therewith.

Tunnels, Subways, and Sewers--Construction of sewers, shafts, caissons, cofferdams, dikes, dams, aqueducts, culverts, flood controls, and airports.

Underpanning and Shoring--Shoring, underpanning and raising of all structures.

Drilling and Blasting--All work of drill running and blasting.

Compressed Air--All work in compressed air construction.

Signal Men--Signal men in all construction work.

General Excavation and Grading--The clearing, excavation, filling, backfilling, and grading, and landscaping of all sites for all purposes and all semi and unskilled labor connected therewith, including grade checkers.

Factories--Laborers in all factories and mills.

General Laborers--All laborers in ship-yards, material yards, junk yards, cemeteries, and the cleaning of streets, ways and sewers, and all laborers work of an unskilled and semi-skilled nature.

Pits, Yards, and Quarries--All drillers, blasters, signal men and laborers in quarries, crushed stone yards, and gravel and sand pits.

Wrecking--The wrecking of buildings and all structures.

## SECTION I

Scarcity of Help: If, for any reason, experienced laborers cannot be furnished by the union within forty-eight hours, the employer has the privilege of employing whomsoever he sees fit until the Union can supply suitable men or enroll or admit such men into the Local Union.



## SECTION 2

Hours of work: At the discretion of the employer, starting time shall be between 7 AM and 8 AM.

Five days shall constitute a regular working week; eight (8) hours shall constitute a day's work to be performed between 8 AM and 5 PM. All time after eight (8) hours between 7 AM, Monday and 5 PM Friday, shall be paid for at the rate of time and one-half time.

Saturday work: All work performed on Saturday shall be paid for at the rate of time and one-half time. All work performed after 5:00 PM Saturday until 7 AM Monday shall be paid for at the rate of double time.

Double time shall be paid for holidays.

## SECTION 3

Holidays: The holidays shall be--fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and Memorial Day or Decoration Day whichever day the governing craft elects to observe. No work shall be performed on Labor Day except to save life or property.

## SECTION 4

Traveling time: Traveling time shall not be allowed for the employees within the Metropolitan Area of Atlanta, Georgia, if the job can be conveniently reached by bus or

other means of travel, except when men are moved from shop to shop or job to job during working hours.

#### SECTION 5

Reporting time: When men are ordered by employer, or by his representatives to report, at a specified time and place, and not put to work, he shall be paid two (2) hours for reporting time. If the employee is notified the day before, and does not report at the specified time, he shall be paid only for the actual time worked. If an employee leaves his regular work at night and is not notified by the employer or his representatives, there will be no work the next day, he shall be paid two (2) hours time for reporting, if not being put to work, weather permitting.

#### SECTION 6

There shall be no limitations as to the amount of work a man shall perform. It being understood that a workman shall perform a fair and honest day's work.

If an employee starts to work ahead of the mechanics in order to have material ready for the regular starting shift, he shall be paid for the extra time worked or be allowed to quit work the approximate time worked before regular quitting time.

## SECTION 7

**Paydays:** All members working under the Jurisdiction of this Local Union shall be paid weekly by cash or check at or before quitting time.

If an employee is fired or laid off for an indefinite period, he shall be paid off immediately. If an employee quits his job for no good reason, at the option of the employer, he shall wait until the regular pay day to receive his pay.

## SECTION 8

**Shifts:** If more than one shift is employed, the rate for men on the first shift shall be as stipulated in Wage Scale. The rate for the second or third shift shall be at the rate of eight (8) hours , regular pay for seven (7) hours actually worked.

## SECTION 9

**Tools:** Employers shall furnish all necessary tools as may be required for the work, also rubber boots and coats of necessity.

## SECTION 10

**Shelter:** On large jobs, the employer shall provide accommodations where employees may change clothes if necessary.

## SECTION 11

Ice water: Contractors shall supply drinking water in sanitary containers at all times, and ice water in hot weather.

## SECTION 12

Workmen's Compensation Insurance: It is agreed that no member of this Union shall be permitted to work for any employer who is not complying with the Workman's Compensation Law.

## SECTION 13

Any man, working on a permit; that is behind with any fee to this Local for seven (7) days shall forfeit his rights to protection and/or employment through this Local Union.

## SECTION 14

Any member that is behind with his dues for two months stands automatically suspended and forfeits all rights of protection and/or employment through this Local Union.

## SECTION 15

All employees shall be required by this Local Union to keep their dues book and Building Trades Card convenient at all times for the job steward or business agent's inspection.

## SECTION 16

**Job Stewards:** All job stewards shall be designated by the Local Union or the Business Agent on jobs employing two (2) or more men. No job steward shall be laid off for defending grievances or attending to other business of this Local Union.

## SECTION 17

**Duties of the Job Steward:** It shall be the duty of the job steward to examine cards of all men working under the jurisdiction of this Local Union each Monday, Wednesday and Friday mornings before work time.

He shall look after the interest of the Local Union without any inconvenience to the employer. He shall report all grievances to the business agent of this Local Union, and make a weekly steward report of his job to the Local Union. The steward on each job shall promptly report to the employer all injuries to members, and the employer shall have someone accompany the injured member to his home or hospital as the case may require. The job steward shall report the injury at the first available opportunity to the Financial Secretary of this Local Union. In case the job steward is injured, the men on the job shall select a member of this Local Union who is in good standing to act as steward, subject to the approval of the business agent.

## SECTION 18

**Grievances:** All petty grievances arising shall be settled by the business agent or any other representative of this Local Union who is available, in conference with job superintendent.

**Joint Committee:** There shall be a joint committee composed of members from the employers group and an equal number of members composed from this Local Union. This committee shall settle all disputes or misunderstandings that may arise from time to time.

## SECTION 19

Local Union No. 438 is subject to the rules and regulations of the Atlanta Building and Construction Trades Council, and the International Hod Carriers' Building and Common Laborers Union of America at all times.

## SECTION 20

Any job using eight (8) laborers or more shall require a laborer foreman at the discretion of the employer.

## SECTION 21

Any job working one journeyman of a craft which requires a tender of helper coming under the jurisdiction of Local 438 shall be required to employ same from this Local Union. No tender or helper shall be required to wait on more than three (3) journeymen.

## CLASSIFICATION AND MINIMUM WAGE SCALE

## LABORERS (Unclassified)-- \$.85

Loading and unloading of all materials used in and around construction

Excavation and grading--

digging of trenches, piers, foundations and holes, grading, clearing, filling and back-filling

Drying of Plaster by Salamander heat--

Cleaning and clearing of all debris

Conveying of materials from stock pile of mixes to working position of mechanic.

## SEMI-SKILLED CLASSIFICATION--\$.95

Form strippers, mortar mixers, air tool operators, pipe layers, building wreckers and hod carriers. Rates on all other classifications to be adjusted as occasions arise between employer and business agent of Local Union.

Tenders:

Tenders to carpenters, plasterers, cement finishers, brick masons\* and all other skilled crafts requiring tenders.

\*Mason tenders are those waiting directly upon the masons by setting up the brick or stone and mortar in a workable position.

## OTHER CLASSIFICATIONS--

Asphalt rakers and smoothers, form setters and strippers (highway construction) . . . . .	\$1.00
Wagon Drill Operator . . . . .	1.10
Powder Men . . . . .	1.35
Foremen (minimum) . . . . .	1.35

## NEGOTIATING COMMITTEE

John S. Turner, Sr.

Henry B. Smith

John B. Huff



## APPENDIX II

**CLASSIFICATION AND MINIMUM WAGE SCALE OF  
THE CONSTRUCTION AND GENERAL LABORERS  
LOCAL UNION 438, AFL-CIO**

Work Classifications	Pay Per Hour -- 1950	Pay Per Hour -- 1955
Construction Laborer	\$1.00	\$1.45
All Tool Operators Air, electric, or gas power, such as Jackhammers, paving breakers, tamper, vibrator, etc.	1.05	1.67
Mortar Mixer	1.10	1.57
Flagman	1.15	1.60
Powderman	1.60	2.35
Powderman Helper	1.40	1.95
Pipelayer	1.10	1.67
Wagon Drill Operator	1.40	1.75
Wheelbarrow Operator	1.10	1.57
Foreman	1.75	2.52

## Source:

Working Rules of Construction and General  
Laborers Union 438, 1950 and 1955.

## APPENDIX III

CLASSIFICATION AND MINIMUM WAGE SCALE OF  
THE CONSTRUCTION AND GENERAL LABBORERS  
LOCAL UNION 438, AFL-CIO  
1957-1959

WORK CLASSIFICATION	PAY PER HOUR			
	7-1-57	1-1-58	7-1-58	1-1-59
<b>LABORERS, CONSTRUCTION</b>				
Buggy rollers, Ga.				
Conveyor oper., used in tend- ing Plasterers and Brick- layers.				
Fork-lift oper., walk-type mech., used in tending Plasterers and Bricklayers.				
Form Stripper				
Masons and Plasterer tender	\$1.55	\$1.60	\$1.70	\$1.75
Metal pan handler				
Pipe doper				
Puddlers, concrete				
Railroad track laborer				
Reinforcing steel handler				
Scaffolds and Stafing for Masons and Plasterers, erecting and removing				
Scarifying, concrete, mech. or hand.				
Stem Jennies, used in cleaning equipment				
Truck-spotter dumper				
<b>LABORERS, SEMI-SKILLED</b>				
All tool operators; air, electric or gas powered, such as Jack- hammer, Paving Breaker, Tampers, Vibrator, Spade, Chipping, Hammer	1.77	1.82	1.92	1.97

## APPENDIX III -- Continued

WORK CLASSIFICATION	PAY PER HOUR			
	7-1-57	1-1-58	7-1-58	1-1-59
Bucket Dump men, concrete	1.67	1.72	1.82	1.87
Chain saw operator	1.77	1.82	1.92	1.97
Flagman	1.70	1.75	1.85	1.90
Foreman	2.62	2.67	2.77	2.82
Form Setter, Steel	1.77	1.82	1.92	1.97
Mortar Mixer	1.67	1.72	1.82	1.87
Nozzleman, concrete pneumatic	2.45	2.50	2.60	2.65
Powderman	2.45	2.50	2.60	2.65
Powderman Helper	2.05	2.10	2.20	2.25
Power Saw Operator, Concrete	1.77	1.82	1.92	1.97
Power Scrubber Operator	1.67	1.72	1.82	1.87
Power Sweeper Operator	1.67	1.72	1.82	1.87
Sewer pipe-layer, yarner, wiper and pot man	1.77	1.82	1.92	1.97
Slip-form raiser, steel or wood, jack or screw type	1.77	1.82	1.92	1.97
Wagon Drill oper., track or wheel type and other equipment used in drilling and blasting	1.85	1.90	2.00	2.05
Wheelbarrow Oper., motorized	1.67	1.72	1.82	1.87
Asphalt Raker and Smoother				
Form Setter and Stripper (Highway Construction)	1.53	1.58-	1.68	1.72
Head Miner	2.35	2.40	2.50	2.55
Pneumatic Gun Operator and Nozzleman	2.45	2.50	2.60	2.65
Tunnel Miner	2.20	2.25	2.35	2.40
Tunnel Laborer	1.80	1.85	1.95	2.00

## SOURCE:

Working Agreement By and Between Construction  
and General Laborers Local Union 438, 1957.

## APPENDIX IV

CLASSIFICATION AND MINIMUM WAGE SCALE OF  
THE CONSTRUCTION AND GENERAL LABORERS  
LOCAL UNION 438, AFL-CIO  
1964-1966

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WORK CLASSIFICATIONS		EFFECTIVE	
	7-1-64	HEALTH & WELFARE	7-1-66
		1-1-65	

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## LABORERS, CONSTRUCTION

Batch Plant Men  
 Buggy Roller, Ga.  
 Cleaners, Brick or  
 Lumber  
 Clearing of Right-of-  
 way and Building  
 site hand tools  
 Concrete Curer-Sealer  
 and Liquid Hardner  
 Conveyor Operators,  
 Used in Tending  
 Plasterers and  
 Bricklayers  
 Electrician Laboer  
 Excavator, Backfiller  
 Grader, Hand Fork-  
 lift oper., Walk-  
 type Mech., Used in  
 Tending Plasterers  
 and Bricklayers  
 Form Oiler  
 Form Stripper  
 Metal Pan Handler  
 Plumber Laborer  
 Pipe Doper  
 Precast Slab (floors,  
 roofs, walks,  
 curbs)  
 Puddlers, Concrete  
 Rail Porter  
 Railroad Track Laborer  
 Scaffold and Staging  
 for Masons and Plas-  
 terers, Erecting and  
 Removing

## APPENDIX IV -- Continued

WORK CLASSIFICATIONS	7-1-64	EFFECTIVE	
		1-1-65	7-1-66
		HEALTH & WELFARE	
Scarifier, Concrete, Mech. or hand	\$2.40	\$ .10	\$2.52
LABORERS, CONSTRUCTION			
Sheeting and Shoring Laborer			
Steam Jennies, Used in Cleaning Equipment			
Tender (all crafts)		.10	
Tool room man			
Truck-spotter Dumper			
Water Boy			
LABORERS, CONSTRUCTION			
Winch Handler (manual)			
Wrecking buildings, and misc. structures	2.40	.10	2.55
LABORERS, SEMI-SKILLED			
All tool operators: air electric or gas power- ed, such as Jackhammer, Paving Breaker, Tampers Vibrator, Spade, Chip- ping Hammer and Barco Tamp	2.62	.10	2.77
Bucket Dump Man Concrete	2.52	.10	2.67
Burner Demolition Work	2.62	.10	2.77
Caisson Work, Hole Man	(25¢ above rate for classification under which employed)		
Chain Saw Operator	2.62	.10	2.77
Chimney of Stacks, Iso- lated	(Same as Caisson Work, Hole Man)		
Flagman	2.55	.10	2.70
Foreman	3.47	.10	3.62
Fork Lift oper. (used in plants not under construction)	2.65	.10	2.80
Form Setter Steel	2.62	.10	2.77
Mixer, Mortar, Cement, Grout, Clay, etc., (hand or machine oper.)	2.52	.10	2.67

## APPENDIX IV -- Continued

WORK CLASSIFICATIONS	7-1-64	EFFECTIVE	
		1-1-65	7-1-66
		HEALTH & WELFARE	
Mortar mixer used in connection with hose for gypsum roofs, plastering, asbestos fiber soundproofing, etc.)	\$2.52	\$.10	\$2.67
Motorized Post Hole Digger	2.52	.10	2.67
Nozzleman, Concrete Pneu.	3.30	.10	3.45
Powderman	3.30	.10	3.45
Powderman Helper	2.90	.10	3.05
Power Saw Oper., Concrete	2.62	.10	2.77
Power Cleaning Machine Oper.	2.52	.10	2.67
Sewer Piper Layer, Yarner, Wiper and Pot Man	2.62	.10	2.77
Slip-form Raiser, Steel or Wood, Jack or Screw Type	2.62	.10	2.77
Wagon Drill Operator, track or wheel type and other equipment used in drilling for blasting	2.70	.10	2.85
Wheelbarrow Operator, Motorized	2.52	.10	2.67

SOURCE: Working Agreement By and Between Construction and General Laborers Local Union 438, 1964.