

CHAPTER 15

THE SAN FRANCISCO WATERFRONT—A LABOR HISTORY TOUR

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Labor-management relations in the nation's maritime industry have been strongly influenced by developments on the Pacific Coast and in San Francisco in particular. This concurrent session provided an exceptional opportunity to learn about the eventful labor history of the San Francisco waterfront, as well as how those events and the innovations that followed shaped labor relations on today's docks. Rather than being presented in the confines of a conference room, the session was an on-site tour of the waterfront and longshoremen's hiring hall, led by labor historian Harvey Schwartz. An oral historian for the Labor Archives and Research Center, Schwartz is Curator of the Oral History of the International Longshoremen's and Warehousemen's Union. Following is a synopsis of the lecture and the materials provided to the group.

The stage was set by a walking tour of the murals in the old Post Office building on Mission Street, a few blocks from the docks. Anton Refregiar's monumental work, supported by the Works Progress Administration (WPA), depicts the history of workers in California—Gold Rush miners, Chinese railroad builders, newspaper employees, dockworkers, sailors, vigilantes, and Rosie-the-Riveters during World War II—and, of course, the 1934 San Francisco waterfront strike.

As the tour progressed from the streets where that strike's bloodiest battles were played out in 1934 to the present International Longshoremen's and Warehousemen's Union (ILWU) hiring hall, Schwartz told the history of the longshoremen's union, including the story of that violent confrontation. Speaking to a group of arbitration practitioners, he emphasized the role that arbitration played in that strike and in the decades of the more peaceful working relationship that followed. He focused on the

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one arbitrator who played a key role in waterfront labor relations for seven decades—Sam Kagel—who coincidentally had passed away at age 98 only two days before the tour.

Since the 1916–1919 waterfront strike that broke the longshore union, daily hiring had been limited to members of an employer-dominated union (the “Blue Book” union) in a corrupt and exploitive method called the “shape-up.” That hold began to weaken with passage of the National Industrial Recovery Act in 1933, in which section 7A provided that workers had a right to join a union of their own choosing. The International Longshoremen’s Association (ILA) was an independent union strengthened by the new federal policy.

In early 1934, ILA representatives from all the west coast ports met and agreed to strike if the maritime employers did not meet with the ILA. The union’s demands included a hiring hall run by longshoremen to replace the corrupt “shape-up,” pay increases, and a six-hour workday to ease the impact of unemployment caused by the Depression. The ILA wanted a coastwise contract. The employers wanted separate port contracts, employer-operated hiring halls, and an election at each port to choose between the “Blue Book” union and the ILA.

The National Longshoremen’s Board, named by President Franklin D. Roosevelt, was urging the parties to submit their disputes to arbitration. The ILA resisted, seeing it as a way to break the union. The ILA strike began in May, and was soon joined by unionized personnel on the ships as they came into port, with the Teamsters refusing to move goods off the docks. Thus, the longshoremen’s strike became a maritime strike, joined by several maritime unions. The unions formed the Joint Marine Strike Committee that negotiated throughout the strike, including the eventual settlement in October.

The crisis peaked in San Francisco on July 3 when the Industrial Association, an association of employers and business leaders formed to deal with the strike, began to move goods off of the docks, with the cooperation of the police. Strife escalated to “Bloody Thursday” (July 5), when strikers and police battled for hours. Two strikers were killed by police bullets and many were injured by gunfire, bricks, and billy clubs. On July 16, the strike escalated into a four-day general strike in San Francisco—reportedly the largest general strike in American history—that also shut down construction of the Bay Bridge that loomed directly over

the docks. The National Guard was called out and martial law declared.

The maritime strike ended when the Joint Committee, including the ILA, agreed to submit the issues to arbitration. Key to ending the strike was the employers' agreement that the results of the arbitration would constitute a labor contract with the ILA for all ports, thereby recognizing the ILA as the representative of longshoremen up and down the coast. In 1938, the National Labor Relations Board certified the ILWU (the ILA's new name) to represent a single longshore unit for all U.S. Pacific Coast ports.

The arbitration award covering longshoremen was issued in October 1934 by the two-member presidential board. It dictated terms that dramatically changed working conditions at all Pacific Coast ports from Seattle to Long Beach and granted the ILA's key demands. Hours were limited to 6 hours in a workday, 30 hours in a workweek, averaged over four weeks, with standardized pay rates. Job titles and bargaining unit work were identified. Overtime was defined and a one-hour meal break required.

Perhaps the most significant element in the award was creation of hiring halls that replaced the corrupt "shape-up" that had triggered labor unrest. The halls were to be operated by a joint labor-management committee at each port, which was charged with establishing a list of registered longshoremen that had to include ILA strikers. The award specified: "All longshoremen shall be dispatched without favoritism or discrimination, regardless of union or non-union membership." The ILA won the all-important right to select the dispatchers. Dispatchers, still elected by local union members, hosted our group at the San Francisco ILWU Hall and provided a detailed explanation of the workings of the hiring hall.

A second major element in the award was to empower the labor-management committee in each port to "decide all grievances and disputes" relating to working conditions and to decide whether a discharge was "without sufficient cause." Deadlocks could be referred to anyone they jointly chose, or to an Impartial Chair appointed by the U.S. Secretary of Labor. Among the appointees was Clark Kerr, who served in 1946 and 1947. After another longshore strike in 1948, the grievance procedure was substantially amended and established the position of Pacific Coast arbitrator. Sam Kagel was appointed by the ILWU and the Pacific Maritime Association (PMA) in 1948 as the first Coast Arbitrator, a post he

held for 54 years, until his retirement in 2002, when the parties chose his son, John Kagel, as the current Coast Arbitrator.

Both parties trusted Sam Kagel in this role because of his long involvement in waterfront labor relations. In 1934, the youthful Kagel was working for the Pacific Coast Labor Bureau, an organization that assisted union leaders in negotiations and advocacy. Included was Harry Bridges, founding president of the ILA. During the strike, Kagel was asked to join the maritime unions' joint strike committee. He took great pride in being the last survivor of the leadership of the 1934 strike. He had launched his arbitration career in 1935 when he was chosen to decide severance pay for ferryboat crews being put out of work by the construction of the San Francisco Bay Bridge and the Golden Gate Bridge; however, he continued working as a union advocate.

These events helped shape the ILWU into an institution that survived expulsion from the CIO in 1954, as that body sought to eliminate "leftist" unions during the McCarthy era. Successfully resisting investigations of communism charges, including efforts to deport him to his native Australia, Harry Bridges remained president of the ILWU until his retirement, some 40 years later. His legal battles reached the U.S. Supreme Court twice. The plaza at the Ferry Building was recently named Harry Bridges Plaza to honor his legacy.

A key element of that legacy is adaptation to mechanization. The development of mechanization and containerized shipping created a major challenge for the ILWU and the PMA, the employer group that emerged after the 1948 strike. In the late 1950s, the unions came to recognize the inevitability of the trend and decided to negotiate rather than fight. In 1960, the PMA and the ILWU negotiated the landmark "Mechanization and Modernization Agreement," under which the union gave up long-standing work rules and agreed to reduce minimum crew size and to allow for mechanization of union jobs. In exchange for the concessions, the PMA granted job protections and a guarantee that the union pension fund would receive a share of savings that would accrue to the employers as a result of the changes.

Resource materials made available to each tour participant included a photocopy of the typewritten 1934 arbitration award and a booklet by Harvey Schwartz, *Harry Bridges; A Centennial Retrospective* (Bay Area Longshoremen's Memorial Assoc., 400 N. Point St., San Francisco 94133, or sfbalma@aol.com). Two documentary films, one on Harry Bridges and the other on Sam Kagel, are in

production (see www.theharrybridgesproject.org). Additional materials, including Kagel's papers, are available at San Francisco State University's Labor Archives and Research Center (larc@sfsu.edu).