Women in American Labour Movement: Overcoming Exclusion and Sex-Based Discrimination

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ABSTRACT

In this article, the author examines the history of exclusion and sex-based discrimination against U.S. women workers seeking to join unions established by men. The author describes how groups of women and girls working in fabric mills in the 19th Century took strike action against work speed up and increased production requirements, making demands for higher wages, equal pay with men, improved working conditions, clean water, health care and time off. Then, in the early 20th century, women teachers formed their own unions to gain increased pay and pension plans, and for social justice. These unions continue to the present seeking also social justice and exercising political power.

KEYWORDS

Civil Rights Laws, Education, Fabric Mills, Garment Factories, Girls, Strikes, Teachers, Unions, Work, Workers

There are many ironies in the history of the influence of American women and women’s trades unions on the trade union movement and labour law of the United States.

Although there is a perception that women have achieved equality with men in the U.S., this is inaccurate. The U.S. Constitution has no explicit provision for women’s equal rights. The single mention of ‘women’ is in the 19th Amendment to the U.S. Constitution, ratified in 1920; granting women the right to vote.

A women’s “equal rights amendment” was circulated for ratification among the 50 U.S. states in 1984, but failed to gain approval. The U.S. is not a party to CEDAW, because the U.S. Senate has refused to ratify U.S. accession, although three Presidents signed the Convention. The U.S. is a member of the ILO, but not a party to the ILO Conventions concerning workers with family responsibilities and the requiring of paid maternity leave.

Women, however, have freedom nearly equal to men in the U.S. Women have the right to education, work, travel, own and inherit property, make contracts and conduct business, maintain bank and credit card accounts in their sole names, and marry or divorce without the consent of their male relatives. In the U.S. these rights are established by federal and state laws. The Equal Pay Act of 1963 prohibits sex discrimination in pay and employment for women and men performing the same job. The pay gap between full-time employed women and men persists in the U.S. in the 21st century.

The Civil Rights Act of 1964, (42USC sec, 1981) prohibits discrimination based on race, religion, sex, or national origin. Title X of the Education Law, (20USC section 1681 (1972), prohibits discrimination based on sex in federally funded education programs and activities [this includes sports teams and all other extracurricular activities]. Some states have enacted constitutional provisions and civil rights laws containing more protections of women’s rights than provided in federal laws and court decisions.

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By contrast, in the 21st century, some states have enacted laws limiting women’s rights to reproductive health care for abortion and birth control, attempting to defeat the protections established in the U.S. Supreme Court decisions in Roe v. Wade (410 US 113 (1973) and Griswold v. Connecticut (381 US 479 (1965), respectively.

Women were excluded from trade union membership from the onset of male-dominated trade union organizing in the 19th century until 1920. This exclusion persisted until the 1970’s in some trade unions (Wein and Harlan, 2012, Appendix 51). The practical reason for union men opposing women working outside the home was that the factory owners hired women and children to do the same work for lower wages than paid to men (Milkman, 2016, pp. 13-93). Women, however, organized separate unions and strikes from the 1830’s. Their collective actions and strike demands anticipated many of the U.S. labour laws enacted in the 20th century and remain relevant in the 21st century.

In the 19th century, in Lawrence, Massachusetts, large cotton and woolen fabric mills employed American girls who left family farms to earn wages from the 1820s onwards. Immigrant women joined this work force starting in the 1840’s. The low-paid girls and women out-numbered male workers nearly 2 to 1.

The factory girls, women and children took strike action in 1845 to protest the increased speed of work and lengthening of their work day, without increasing their wages (Cameron 1993: ii-xiv). Striking again in 1882 and 1912, the women and children, demanded ‘fair wages, fair work, equal pay with men doing the same work, the right to clean water, health care, decent housing, free schools, and time off for themselves’ (Ibid: 3-7). Some of these goals became rights in U.S. labour laws enacted in the mid-twentieth century.

From 1895 to 1905, women workers engaged in 83 strikes in the industrial areas of the US. The women also organized industry-wide unions, including all job types (Milkman, 2016, p. 96). This was by contrast to traditional unions formed by men, which were organized by job type, skill, or trade. From the early 1890s until the late 1920’s, young women who came to the cities to work in the factories were not respected, but the women did not accept this situation. They were critical of the dangerous conditions in the factories where they worked and the tenements where they lived.

These women had more freedom than other young women, because of the wages they earned. They formed working women’s clubs, joined the Socialist Party, and the Industrial Workers of the World (IWW, also known as ‘Wobblies’; for more, International Workers of the World; Homepage and Historical Archives) and wrote letters to the labor press. A few of the women expressed a feminist and class-based understanding of the oppression they suffered. They identified as a group and worked collectively expressing these views and for improved working and living conditions (Eisenstein, 1983).

In 1909-1910, women union members in New York City joined the ‘Uprising of the 20,000’. This was a general strike across the garment making industry. It lasted 13 weeks and achieved increased pay for 15,000 workers. After this strike, the first permanent women’s labor unions in the US garment makers trades were formed. Women spoke at strike rallies and worked as organizers for the Women’s Trade Union League, or for the mixing of garment workers’ unions. These women, however, were ‘atypical of working women,’ in their union affiliation (pp. 4-9).

The women’s industrial actions and organizations created pressure that caused some of the men’s garment and textile industry unions to admit women members for the first time in the 1920’s. Those unions, however, did not make a commitment to equal pay and promotions for their women members (pp. 98-102). The International Ladies Garment Workers Union ‘the ILGWU’ had opposed the ‘Uprising of 20,000 (Milkman, 2016, p. 96).

The ILGWU was formed in New York and other cities in 1900 by men who worked in factories making women’s clothing. It started with a social purpose to improve the lives and communities where their members lived, in addition to achieving higher wages, health and pension benefits, and safe working conditions.

Workers’ education was developed and led by a woman, Fannia M. Cohn. From 1918 to 1962, she managed the ILGWU Education Department. This department educated workers to become
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