Wars of Attrition

Vietnam, the Business Roundtable, and the Decline of Construction Unions

MARC LINDER

Second Revised Edition

Fānpihuà Press
Iowa City
2000
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Printed in the United States of America

Suggested Library of Congress Cataloging
Linder, Marc, 1946—
Wars of attrition: Vietnam, the Business Roundtable,
and the decline of construction unions/by Marc Linder. 2nd ed., rev.
xix, 434 p. 23 cm.
Includes bibliographical references and index.
ISBN 0-9673899-5-X
5. Employers’ associations—U.S.
HD9715.U52L498 2000
338.4’76900973—dc21 Library of Congress Control Number: 00-093286

Publication of this edition was made possible in part by grants from the International Brotherhood of Electrical Workers; IBEW Local 948, Flint, MI; IBEW Local 58, Detroit, MI; and the Michigan Chapter of the National Electrical Contractors Association.
Appendix: War and Construction Wages

In peace or in war the building and construction industry occupies a strategic place in the economy.1

The efforts that the state and employers' organizations concentrated on controlling construction wages during the Vietnam War raise a question as to whether some necessary relationship between the structure of wartime economies and the demand for construction workers resulting in faster wage growth in that sector is a constant or whether historical circumstances peculiar to the 1960s and 1970s accounted for that disparity. A brief account of relevant developments during World War II and the Korean War sheds some light on this question.2

During the so-called defense period (1939-1941) and the war itself the gap between building and manufacturing wages narrowed. In particular, from 1940 to 1943, hourly earnings in manufacturing rose 45 percent compared with 30 percent in private building construction; consequently, hourly manufacturing earnings as a share of those in construction rose from 69 to 77 percent. The gap in gross weekly earnings narrowed even more: manufacturing as a proportion of construction rose from 79 to 90 percent between 1940 and 1943 although the gap widened again somewhat during the early postwar years.3 Table 26 shows the course of hourly and weekly earnings from 1937 to 1947.4

That construction wages lagged behind those in manufacturing during the militarization of the U.S. economy requires explanation especially since construction employment rose much more rapidly (although it failed to maintain its peak level as long as manufacturing because its expansion was a prerequisite for expansion of manufacturing).5 In part this difference resulted from building trades unions' extraordinary acquiescence in federal "wage stabilization" programs.

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2On the Emergency Construction Wage Commission during World War I, when the federal government entered into agreements with unions for the first time, see Alexander Bing, War-Time Strikes and Their Adjustment 14-19 (1921).
4For a description of the wage data, see USDC, Business Statistics: 1953 Biennial Edition 220 n.5 (1953). The wage data for construction refer to private building construction, which accounted for about three-fifths of total construction employment during the years in question. BLS, Construction in the War Years 1942-45, at 7, 10 (Bull. 915, 1948); BLS, Construction and Housing, 1946-47, at 14 (Bull. 941, 1948).
<table>
<thead>
<tr>
<th>Year</th>
<th>Manufacturing (000)</th>
<th>Index (1939 = 100)</th>
<th>Construction (000)</th>
<th>Index (1939 = 100)</th>
<th>Manufacturing ($)</th>
<th>Construction ($)</th>
<th>Ratio</th>
<th>Manufacturing ($)</th>
<th>Construction ($)</th>
<th>Ratio</th>
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<tbody>
<tr>
<td>1937</td>
<td>10,606</td>
<td>105</td>
<td>1,112</td>
<td>97</td>
<td>24.05</td>
<td>30.14</td>
<td>0.80</td>
<td>0.62</td>
<td>0.90</td>
<td>0.69</td>
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<tr>
<td>1938</td>
<td>9,253</td>
<td>92</td>
<td>1,055</td>
<td>93</td>
<td>22.30</td>
<td>29.19</td>
<td>0.76</td>
<td>0.63</td>
<td>0.91</td>
<td>0.69</td>
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<tr>
<td>1939</td>
<td>10,078</td>
<td>100</td>
<td>1,150</td>
<td>100</td>
<td>23.86</td>
<td>30.39</td>
<td>0.79</td>
<td>0.63</td>
<td>0.91</td>
<td>0.68</td>
</tr>
<tr>
<td>1940</td>
<td>10,780</td>
<td>107</td>
<td>1,294</td>
<td>113</td>
<td>25.20</td>
<td>31.70</td>
<td>0.79</td>
<td>0.66</td>
<td>0.96</td>
<td>0.69</td>
</tr>
<tr>
<td>1941</td>
<td>12,974</td>
<td>129</td>
<td>1,790</td>
<td>156</td>
<td>29.58</td>
<td>35.14</td>
<td>0.84</td>
<td>0.73</td>
<td>1.01</td>
<td>0.72</td>
</tr>
<tr>
<td>1942</td>
<td>15,051</td>
<td>149</td>
<td>2,170</td>
<td>189</td>
<td>36.65</td>
<td>41.80</td>
<td>0.88</td>
<td>0.85</td>
<td>1.15</td>
<td>0.74</td>
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<tr>
<td>1943</td>
<td>17,381</td>
<td>172</td>
<td>1,567</td>
<td>136</td>
<td>43.14</td>
<td>48.13</td>
<td>0.90</td>
<td>0.96</td>
<td>1.25</td>
<td>0.77</td>
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<tr>
<td>1944</td>
<td>17,111</td>
<td>170</td>
<td>1,094</td>
<td>95</td>
<td>46.08</td>
<td>52.18</td>
<td>0.88</td>
<td>1.02</td>
<td>1.32</td>
<td>0.77</td>
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<tr>
<td>1945</td>
<td>15,302</td>
<td>152</td>
<td>1,132</td>
<td>98</td>
<td>44.39</td>
<td>53.73</td>
<td>0.83</td>
<td>1.02</td>
<td>1.38</td>
<td>0.74</td>
</tr>
<tr>
<td>1946</td>
<td>14,515</td>
<td>144</td>
<td>1,661</td>
<td>144</td>
<td>43.74</td>
<td>56.24</td>
<td>0.78</td>
<td>1.08</td>
<td>1.48</td>
<td>0.73</td>
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<tr>
<td>1947</td>
<td>15,901</td>
<td>158</td>
<td>1,921</td>
<td>167</td>
<td>49.25</td>
<td>63.30</td>
<td>0.78</td>
<td>1.22</td>
<td>1.68</td>
<td>0.73</td>
</tr>
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</table>

In anticipation of war, a “vast” increase in public construction had led to a virtual doubling of employment in that sector to almost one million workers between May 1940 and May 1941. As a result of the loss of skilled labor during the Depression, shortages, especially in remote areas, caused employers to offer premium wages, such as double-time rates for all hours over eight per day, in connection with regular extra-shift operations, to recruit workers. To avoid obstacles to rapid completion of projects and a crazy quilt of provisions in various localities, the Office of Production Management (OPM) and certain government agencies engaged in defense construction entered into a “Memorandum of Stabilization Agreement” with the BCTD months before the United States entered World War II. Under this July 22, 1941 agreement, the unions “gave up more advantageous overtime rates,” accepting instead a uniform overtime rate of time and a half for all hours over 8 per day. In addition, the BCTD agreed “that there shall be no stoppage of work on account of jurisdictional disputes, or for any other cause. All grievances and disputes shall be settled by conciliation and arbitration.”

In exchange, the federal government agreed to maintain the established specialty subcontracting system and apprenticeship program. Construction unions’ decision to submit to these early and voluntary controls has been traced back “to the fact that the unions secured unprecedented recognition from the Federal Government that they represented the workers of the construction industry.” A year later, on May 22, 1942—before Congress enacted a general statutory wage stabilization program on October 2, 1942—in the wake of rising and varying wage rates especially on large projects in isolated areas, the BCTD entered into a Wage Stabilization Agreement with the federal contracting agencies that wage rates paid pursuant to collective bargaining agreements as of July 1, 1942 would remain in effect for at least one year; these rates were also to apply under subsequent renewals of collective bargaining agreements unless they were so old as to have been out of line with general wage prevailing on July 1, 1942, applied to localities where changing local conditions required revised rates, or failed to take into account abnormal changes in conditions. To determine whether such wage rate revision was necessary, the agreement also provided for the creation of a Wage Adjustment Board, which was directed to consider existing

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6 Dunlop & Hill, Wage Adjustment Board at 18-19.
8 Memorandum of Stabilization Agreement,” ¶ 3, reprinted in Dunlop & Hill, Wage Adjustment Board at 138.
9 Memorandum of Stabilization Agreement,” ¶ 4, 7, reprinted in Dunlop & Hill, Wage Adjustment Board at 138, 139.
10 Dunlop & Hill, Wage Adjustment Board at 20.
collective bargaining agreements in making such determinations. Construction union presidents were in part motivated to accept this second voluntary wage stabilization program because they "were genuinely concerned over the prospects of getting wages so high that they would have to be sharply reduced later. They had lived through the period of wage reductions after World War I and did not wish to see it repeated." The Wage Adjustment Board for the Building Construction Industry, which initially consisted of equal numbers of union and contracting agency representatives, and, as of October 13, 1943, of equal numbers of union, industry, and public representatives, was empowered to investigate and recommend wage rate adjustments and was required to "consider requests for wage adjustments when presented by local labor organizations with the approval of the international or national labor organization and submitted through and approved by" the BCTD. Entrusting the initiation of wage increase requests to unions, thus bypassing employers, was unique among wartime wage controls; it was prompted by the need to create uniform area wage rates even in localities lacking a contractors association. The mechanism also "required a degree of supervision by the international unions over the wage demands of their locals." The voluntary origins of the Board, which came into existence on May 29, 1942 and was dissolved on Feb. 24, 1947—formal controls thus lasted one and a half years longer than general wage controls—had a lasting impact in that it always enjoyed "an unusually large measure of support from the leadership of the unions."

What advantages accrued—or at least did the national union leadership imagine would accrue—from its compliant attitude toward state intervention? This compliance was significantly reflected in the extraordinary extent to which building unions adhered to their no-strike pledge. Thus although strike activity in general subsided during World War II, no work stoppage at all involving more than 10,000 workers occurred in construction between August 1941 and June 1946; during this period, 103 such strikes took place in other industries, including 42 strikes between U.S. entry into the war and V-E day. Even excluding strikes conducted by CIO unions and the United Mine Workers and focusing only on AFL unions, building trades strikes as a share of all AFL-union strikes declined to 12 percent between

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11 "Building and Construction Wage Stabilization Agreement" (May 22, 1942), reprinted in Dunlop & Hill, Wage Adjustment Board at 141-42.
12 Dunlop & Hill, Wage Adjustment Board at 27.
13 Secretary of Labor, Order No. 101 (May 29, 1942), reprinted in Dunlop & Hill, Wage Adjustment Board at 143-44. For the change in the Board's composition, see National War Labor Board, General Order No. 13 (Oct. 13, 1943), reprinted in id. at 146.
14 Dunlop & Hill, Wage Adjustment Board at 31-32.
15 Dunlop & Hill, Wage Adjustment Board at 127.
1942 and 1945 from 17 percent for the period between 1935 and 1941. In return, the OPM, under the co-directorship of Sidney Hillman, head of the Amalgamated Clothing Workers (AFL), granted building trades unions exclusive collective bargaining rights: "Every new employee hired on the vast construction projects of the government automatically had to become a member of an AFL union."17

The very fact that the WAB enhanced the position of the international unions vis-à-vis the locals was presumably welcomed by the national leaders in light of the decentralizing tendencies generated by the Depression. Dunlop explicitly confirmed this motivation of using state intervention as a means of undermining the position of the local union leadership for the immediate postwar years when the national unions supported continuation of controls:

[The] there was a genuine concern among...contractors and union leaders to prevent construction wage rates from exploding under postwar construction conditions. There was certain to be a shortage of skilled tradesmen in many areas.... Many...union leaders had experienced the 1919-1922 period and wished to avoid the problems for a labor union accompanying sharp wage cuts. The union leaders were desirous of moderate increases, but the absence of all wage controls would make it almost impossible to hold local unions in line who were in a strong bargaining position to extract very substantial increases from their local contractors. The attitude of the union leaders was not altruism; it was attention to longer run self-interest. This self-interest could more easily be achieved with the sanction of government controls than in its absence when local unions would be most difficult to control.18

It is unclear whether this strategy in fact led to any significant long-term increase in national union strength. Indeed, it is even unclear whether this struggle took place between the national and local union leadership or between the leadership and the rank and file. From Dunlop’s contemporaneous insider’s account the latter interpretation draws some credence: "Many local officers paid heavily for their cooperation with the government’s stabilization and production policies by defeat in union elections in 1944-45."19 With respect to the problems envisaged by the leadership based on the unions’ experience in the aftermath of World War I, it appears (at least in retrospect) that its view was shortsighted; for it did not enter into formal agreements with the federal government until the height

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18Dunlop & Hill, War Adjustment Board at 43. Cf. BR, Coming to Grips with Some Problems in the Construction Industry 36 (1975): “During World War II, the unions and their employers had developed an atmosphere of cooperation as both were represented on the Wage Adjustment Board....”
19Dunlop, “The Decontrol of Wages and Prices” at 5.
of war construction had been reached.\textsuperscript{20} Although this tactic may at first sight appear to have been successful—if it was even planned—since the upward pressure on wages could have been expected to diminish in any event, thus making wage controls almost superfluous, the middle-term goal was to avoid wage cuts and the accompanying effects on union membership resulting from a postwar recession; in fact, however, construction employment, unlike that in manufacturing, quickly passed its World War II peak. Since unions were aware of the possibility of a relative scarcity of skilled craftsmen and its impact on wages,\textsuperscript{21} they would have been in a position to negotiate wage increases that would have improved on the stagnating real wages that obtained between World War II and the Korean War.

The other advantage that national unions may have anticipated from recognition by the federal government was the opportunity to increase the degree of organization (or, alternatively, to preserve a given level despite an influx of large numbers of workers not previously employed in the industry). Such an expectation would have been reasonable in light of the increasing importance of public construction. Building trades unions may, for example, have feared that a large public housing program, conducted along industrial lines, would have posed a threat since the CIO was trying to organize workers along those lines in residential construction.\textsuperscript{22} Given the problems surrounding calculation of the degree of organization in construction, it is difficult to offer a precise answer to the question of whether union strength grew in the wake of World War II. But despite the existence of some indications that the degree of organization did rise in certain sectors, since the postwar public housing boom never materialized, the role played by the federal government's recognition remains unclear.\textsuperscript{23}

As it did during World War II, but not during the Indochina War, Congress programmatically reshaped the economy during the Korean War. The Defense Production Act of 1950 declared that U.S. foreign and military policy "requires diversion of certain materials and facilities from civilian use to military and related purposes." To "prevent economic disturbances, labor disputes, interferences with

\begin{thebibliography}{9}
\bibitem{23}According to Garth Mangum, The Operating Engineers 249 (1964), "local unions of the operating engineers did not make concerted efforts to organize...highway construction until after World War II." Herbert Northrup & Howard Foster, Open Shop Construction 123-27 (1975), argue that the Davis-Bacon Act exerted a positive effect on organizing. Howard Foster, Manpower in Homebuilding: A Preliminary Analysis 44 (1974), claimed that the time between World War II and the Korean War "probably represents the high-water mark of union representation...for the past four decades" in residential construction.
\end{thebibliography}
effective mobilization of national resources, and impairment of national unity and morale," Congress empowered the president to stabilize wages and salaries, and prohibited the payment and receipt of wages in contravention of regulations promulgated under the act. Though far from the total war of the years 1942-45, the "partial mobilization," economic "forced draft," and wage controls, sharply distinguished the Korean War from the quasi-free market approach during the Johnson administration’s prosecution of the Vietnam war. The BCTD and nine national contractors associations on February 9, 1951 requested that the Wage Stabilization Board establish an agency similar to the World War II-era WAB. The grounds for a separate agency were: the need to avoid conflicts with Davis-Bacon Act wage determinations; the inapplicability of general wage regulations to workers subject to intermittent employment and employment by numerous employers; the existence of thousands of collective bargaining agreements; and the tradition of separate treatment during World War II. The tripartite Construction Industry Stabilization Commission, created on May 18, 1951, was authorized to "stabilize wages on the basis of areas traditionally established for collective bargaining purposes." Unlike the situation during World War II, however, unions did not give a no-strike pledge, while the Commission was not officially authorized to settle disputes (as the CISC was in the 1970s). Increases in hourly earnings in construction approximated those in manufacturing. Two weeks after taking office, President Eisenhower suspended wage controls on February 6, 1953.
A Note on Sources

Because full bibliographical data are provided in the footnotes, a formal bibliography is superfluous. This note describes one of the book's most important primary sources—the archival materials of the Construction Users Anti-Inflation Roundtable/Business Roundtable. The Roundtable has organized a substantial volume of material dealing with its construction-related activities in a large number of loose-leaf binders at its office in Washington, D.C. For the years 1969 through 1973, there are two binders per year: one is labelled, "Construction Committee History," the other, "Volume II--Minutes." (The binder for 1968, the year before the CUAIR was founded, includes important papers relating to the events leading to the organization's formation.) From 1974 on, the "Construction Committee History" and "Minutes" are consolidated in one binder. The "Construction Committee History" includes internal memoranda, reports, letters, and other materials. The "Minutes" include the minutes of all the meetings of the CUAIR's Coordinating Committee (1969-72) and the Business Roundtable's Construction Committee (1972 forward). The Roundtable provided access to all of these materials, without restriction, for note-taking, although it prohibited photocopying. The materials are not otherwise open to the public.

A complementary collection of Roundtable materials is available at the Kheel Center for Labor-Management Documentation & Archives at Cornell University. They were deposited by Douglas Soutar, former vice president for industrial relations at the American Smelting and Refining Company and a key figure in national labor-management relations and at the Roundtable. Located in Boxes 5 and 6 of Collection 5914, the construction industry papers include minutes of Roundtable annual meetings, draft reports, letters, memoranda, and notes. As a condition of access to the papers, Soutar requires users to agree "to adhere to the rights of privacy of individuals mention [sic] in these papers during their lifetime and honor the confidentiality of any minutes or other privileged organizational documents for 25 years from whence they were drawn...." No such organizational documents were used, but in a few instances the identities of living people who are quoted or paraphrased have had to be withheld to comply with the conditions imposed by Soutar. Empty square brackets [ ] in a footnote indicate that a name has been withheld. In most cases these persons' identities are inconsequential, but in others identifying the corporations that they managed would have shed additional light on those firms' labor-management strategies.
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Against the background of the depletion of the industrial reserve army during the Vietnam War, *Wars of Attrition* explains how the complex interaction between the invisible hand of the labor market and the visible hands of large industrial customers, the Federal Government, and construction employer organizations inflicted a series of defeats on the building trades unions—the most entrenched segment of the labor movement in the United States—culminating in the vast expansion of the “union-free” sector of the construction industry. Based on thirty years of research, *Wars of Attrition* is the first study to have access to the archives of the Business Roundtable, which spearheaded and bankrolled the forces that carried out the first major successful deunionization campaign of the 1970s.

**Marc Linder**, who also wrote *Projecting Capitalism: A History of the Internationalization of the Construction Industry* (Greenwood Press, 1994), is Professor of Law at the University of Iowa. Author of fifteen books on industrial relations, labor history, labor law, economics, economic history, and legal history, he has also worked for Texas Rural Legal Aid representing migrant farm workers. His most recent book is “Moments Are the Elements of Profit”: Overtime and the Deregulation of Working Hours Under the Fair Labor Standards Act (Fānpihuà Press, 2000).

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ISBN 0-9673899-5-X 15.00