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Teachers' Unions in American Education

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Robert C.

1947
TEACHERS' UNIONS IN AMERICAN EDUCATION

BY

ROBERT C. SNYDER

A THESIS
SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS

WESTERN KENTUCKY STATE TEACHERS COLLEGE

APRIL, 1947
Approved:

Major Professor and
Department of Education
Minor Professor, English
Graduate Committee, Chairman

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[Signature]
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This study was begun before the recent upsurge of teacher strikes in the United States. The timeliness of the subject is thoroughly convincing that the effort will prove to be a beneficial and useful undertaking. In the collection of material, correspondence was carried on with professional educators, teachers' unions, and other persons in various parts of the country having access to pertinent information on this very timely topic. The reactions garnered from these sources has been included in the text of the study.

It would be folly to say that the research into this problem has been easy; many sources that were well informed on the subject were hesitant to answer any query which might reveal their reactions to the subject, partly through fear of losing professional prestige. Notwithstanding the difficulties encountered in making this study, a comprehensive survey of this comparatively new organization has been presented.

Irrespective of the many conflicting opinions on teachers' unions this study has been made with the utmost impartiality. Personal opinion has not been entered into the text of this study except where an equitable basis provided the way.

It has long been a conviction that any organization that has the potential power to control the destiny of any individual's life should be studied objectively. Far too often many people are prone to be against any movement which differs with traditional organizations, and in such cases rationality transforms into superficial thinking. An idea, like a religion, should serve to challenge our thinking whether we accept or reject its philosophy.
ACKNOWLEDGEMENTS

Many of the faculty members of Western Kentucky State Teachers College encouraged the writing of this thesis. The writer wishes to extend sincere thanks and appreciation to Dr. Lee Francis Jones for granting permission to make this study and for his awareness to its potentialities. Dr. Bert R. Smith and Dr. W. W. Willey offered invaluable inspiration and suggestions which helped to make this undertaking possible. Appreciation is cordially extended to Dr. Earl A. Moore for his many invaluable suggestions and criticisms. The writer is profoundly thankful to Dr. Gordon Wilson for his many criticisms and for reading the manuscript. Dr. Wilson's suggestions greatly improved the text of the manuscript, and it is with deepest gratitude that thanks is extended. Sincere thanks and appreciation is extended to Miss Frances Richards for graciously reading and criticizing the manuscript. To Miss Margie Helm and Miss Sara Tyler, of the Western Kentucky State Teachers College Library, appreciation is extended for assisting in the collection of material.

To Mr. Irvin R. Kuenzli, of the American Federation of Teachers, a debt of gratitude and thanks is extended for so generously providing information concerning that organization. The writer is desirious to thank Hon. Earle Clements, M. C., for making possible the securing of information from the various research departments of the government.

To Virginia Webb Snyder, who has served as a tireless and faithful co-worker in all phases of this study, deepest thanks is extended.
CHAPTER I

INTRODUCTION

Purpose of the Study

The primary purpose of this study is to give the administrator, supervisor, and classroom teacher a graphic resume of the rise and development of teachers' unions in the educational system of the United States. Many educators have become passive to unionization, and as a result of their passiveness they have given added impetus to a force that must ultimately be reckoned with. It is believed that this study can be used to advantage as a handbook to all desiring insight into this comparatively new problem.

If the past can serve as a criterion for gaining insight into the future, it seems that every interested group in the United States should become cognizant of an aggressive infantile organization, namely, teachers' unions. The realm of prophecy does not come within the bounds of this dissertation, but the preponderance of evidence discloses that an awakening to the implications of this organization should be heeded by all members of the teaching profession.

Trade unions with their ever-increasing power have transmuted the ideology of working in a cooperative and organized manner, to many of the professions which were loath until recently to accept and unite in such groups. The teaching profession has also been hesitant to become affiliated with the unionistic movement, as may be observed by the fact that there were only 3500 teachers affiliated with unions in 1926. By 1947, with the economic status of teachers remaining virtually the same as it was in 1926, in many localities, membership in the unions had risen to approximately 45,000.

The topics treated have been approached with the principle of unification in mind. If public education is to become a unified process extending from
nursery school to higher education, then the professional worker rendering service on any level must be mindful of the relationships between his activities and those of the entire school system.

**Scope of Study**

The scope of this study is limited to an extensive survey of teachers' unions in the United States. Pertinent information, no matter how scanty or obscure, has been included. An analysis of the historical background, objectives, legal aspects, organization, survey of cities possessing unions, and administrative implications effectuates a concise pattern for the orientation of administrators, supervisors, and classroom teachers concerning teachers' unions.

**Sources of Data**

Notwithstanding the extreme difficulty encountered in securing available information on this momentous problem any reference to teachers' unions has been included in the text of this study. The principal sources of material have been the following:

1. American Federation of Teachers.
2. Periodicals and newspapers.
3. Hon. Earl C. Clements, M. C.
4. Educational textbooks and reports.
5. Various legal reports and textbooks.

**Technique of Treatment**

The technique of treatment in this study will be philosophical, expository, and statistical. Wherever possible, statistics are used, but because of the scarcity of information concerning teachers' unions this aspect is limited.

**Related Studies**

There has been relatively little written on the subject of teachers' unions.
Mr. J. W. Studebaker, U. S. Commissioner of Education, says:

"I am sorry to report there is very little information available on teachers' unions. We know that there are a number of such unions in various cities throughout the country, but do not know the exact number." 1

In this connection Mr. Robert C. Gooch, of the Library of Congress, says:

"We find that relatively little has been written about teachers' unions and that so far as we can determine there are no bibliographies on the subject." 2

In the treatment of the legal aspects of unionism Mr. A. C. Allen, Research Assistant, U. S. Office of Education, states:

"I regret to advise that the Office of Education has not made a study of teachers' unions, and we are not advised of any outside study on the subject." 3

Studies along somewhat similar lines were made by Graybiel 4 and Van Camp. 5 The former deals largely with the crucial years of the American Federation of Teachers and offers very little information to this study. Van Camp is primarily concerned with the growth of teachers' unions in England.

A very important study was made by Fordyce 6 on the historical aspects of the American Federation of Teachers. Fordyce contends that teachers' unions have come into existence because they are more effective in their programs of action than traditional organizations.

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2 Memorandum to Hon. Alben W. Barkley, United States Senate, from Mr. Robert C. Gooch, December 13, 1946.
The first chapter of this study deals primarily with the historical background of trade unions and their affiliate, teachers' unions. It is imperative that a resume of the trade union movement be included in order to show the derivation of strength and power utilized by the present day teachers' unions. In this chapter, analysis of the growth and development of unions is comprehensively discussed.
CHAPTER II
HISTORICAL BACKGROUND AND THE RISE OF TEACHERS' UNIONS

Teachers' unions on the American scene is the result of a steady evolutionary growth. A few years ago it was a subject of little concern to the professional educator and to our educational system in general. Administrators, teachers, and school board members until very recently paid very little attention to the movement and were prone to overlook its true significance, terming it as a fad or innovation. From the very beginning of the union idea, as we know it, a relentless war has been waged on its merits or demerits, yet the concept has emerged with an ever-increasing growth and power to attain a stature of influential prominence. Teachers' unions have made their appearance resulting in effectiveness because of the tremendous power exerted by the trade union movement in present-day society. The rise of teachers' unions cannot be disassociated from the trade union movement.

Definition of the Term Trade Union: "A continuous association of wage-earners for the purpose of maintaining or improving the conditions of their working lives."¹

It is plausible to conceive that the basic principles of trade unions have evolved with the democratization of man. Antiquity offered very little basis for the development of such an enterprise. Illustrations could be drawn citing underlying instances of its emergence, but little conclusive proof could be offered to substantiate such a hypothesis. Analogies to antiquarian practices, therefore, offer little, if any, proof for the rise of this economic force. If such practices were utilized, they either perished or were forgotten with the decline of the partially free civilizations of the past, and were not

revived until the Renaissance or thereabouts. Strikes are as old as history itself. If "labor wars" existed during early times, it is reasonable to assume that they did not result in any form of permanent associations, because the participants were not seeking to improve the conditions of a contract of service into which they voluntarily entered.

Passing from the era of complete servitude to that of the nominally free citizenship of the medieval town, the appearance of a basic ancestry is apparent. English towns of the Middle Ages make it clear that alongside the independent master craftsmen, a number of hired journeymen and laborers were known to have occasionally combined against their rulers and governors. Many of these combinations lasted for several months at a time. It is judicious to note that the Corporation of the City of London in 1383 prohibited all "Congregations, covins, and conspiracies of workmen." Thereafter numerous groups of tailors, saddlers, and shoemakers formed fraternal associations for seeking better living conditions. In 1536, a report to Cromwell narrated the account of an assembly of twenty-one journeymen shoemakers of Wisbech for the purpose of forcing a group of master shoemakers for advance wages, and in their demands they threatened: "There shall none come into the town to serve for that wages within a twelve month and a day, but will have an harme or lesse of hym, except they will take an othe as we have done." Many authorities are in agreement that the Craft Gilds, existing in Germany prior to the outbreak of the Thirty Years' War (1618), were the immediate predecessor of the Trade Union. Nevertheless, the principles and practices of this ideology spread rapidly to various sections of the world.

Sporadic combination of workmen assured trade unions a continuous existence. Parliamentary acts were passed throughout the eighteenth century attempting to

\[\text{Ibid., p. 1.}\]
curb the activities of this movement and subsequently culminated in the comprehensive statute of 1799, forbidding all combinations.

An examination of the evidence lends support to the position that trade unions did not spring from any single institution but rather originated from every opportunity for the meeting together of wage-earners engaged in the same occupations or pursuits. Adam Smith remarked: "People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices."

The philosophies of Rousseau, John Locke, and Thomas Jefferson brought added impetus to the equality of man and subsequently affected the thinking of the masses. In 1824, the repeal of a whole series of Combination Laws was effected by Parliament and was perhaps the most impressive event in the early history of the movement. The repeal was not meant necessarily as a regulation of industry but rather an attempt to the fixing of wages, the prevention of embezzlement or damage, the enforcement of the contract of service, and the proper arrangement for apprenticeship. Combinations formed to interfere with these statutory aims were obviously illegal and were prohibited, but the Combination was henceforth to be considered a corporate entity.

America was generally too concerned with the conquering of frontiers and the establishment of homes to be deeply affected in the beginning by organized labor groups. With the infiltration of workmen from Europe and the expansion into the West of the railroads, protests of mistreatment began being entered.

The foment of social reform was rampant in England and the United States

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from 1830 to 1860. Robert Owen's economic axioms of the extinction of profit, and the elimination of the profit maker in England, resulted with the origination of the Cooperative Movement, which was inaugurated in 1844, by the Rochdale Pioneers.\(^5\) Strikes had become so prolific in England the Rochdale group decided cooperation was the only basis for industrial peace. Many successive plans and groups sprang forth with trade union ideology, but none lasted for any appreciable length of time. In the rise of trade unions, the name of Robert Owen cannot be minimized because of his ardent stimulation of the working classes, giving them a renewed hope at a time when the pessimism of the orthodox economists and of their unorthodox opponents had condemned labor to be an appendage of machinery, a mere commodity whose value, like that of all commodities, was determined by the bare cost of keeping up supply. Robert Owen laid particular stress upon the human side of economics based upon the acceptance of the workman as a human being.

Robert Owen transplanted some of the seeds or ideology of organized labor and cooperation to the ill-fated New Harmony, Indiana, project in 1825. However unrealistic or impractical his ideas may have been in this virgin land, attention was immediately focused on the venture, and a series of progressive steps were initiated on the American scene.

The expansion to the West saw the establishment of a group in the United States known as the "Knights of Labor," which exercised a semblance of power. This group, as the preceding ones mentioned, did not embrace all the concepts or principles of trade unionism, and it was in a short time replaced by the American Federation of Labor, which was established in 1881.\(^6\)

With the advent of the age of technology, the American Federation of Labor and its affiliates gradually embraced the cause of most of the craft trades.

\(^{5}\textit{ibid.}, \text{p. 177.}\)
\(^{6}\textit{ibid.}, \text{p. 135.}\)
Not only the American Federation of Labor but also powerful independent groups have arisen, employing the concepts and practices of trade unionism. Many other associations are in existence which imply or accept the fundamental principles of collective working together.

Establishment of the first teachers' union affiliated with an organized labor group appears to have been in San Antonio, Texas. A charter was issued to this San Antonio group by the American Federation of Labor, September 20, 1902. A group of teachers in Los Angeles, California, made gestures to unionize in 1889, but failed to accomplish anything of significance. The Los Angeles teachers were concerned with the vast influence Eastern colleges exerted in the affairs of the National Education Association. 7

Apparently there was very little concerted action in regard to teachers' unions between 1890 and 1910. From 1902 to 1910, there were no fewer than eleven teachers' unions affiliated with local organized labor groups. The majority of these were of short duration and existed primarily in California, Texas, and Illinois. The chief concern of these newly established organizations appears to have been rooted in the economic status of teachers in their immediate communities.

It is well to observe that in 1870, teachers' unions were inaugurated in England. Webb says the growth of unions embracing teachers of all kinds and grades numbers about 300,000 men and women in the United Kingdom, and they have become highly organized into different societies. The largest of these is the National Union of Teachers with a membership of over 102,000. 8 This group exercises vast influence in the employment of teachers. During the past few years it has supported various district or county strikes for better salary-scales. The teachers in secondary schools are organized into four societies,

8 Webb, op. cit., p. 505.
for headmasters, headmistresses, assistant masters, and assistant mistresses, respectively, united in a Federal Council of Secondary Schools. A primary cause for their establishment was due to the adoption of a system of salaries based on "payment by results." This system made economic security for teachers impossible because the teacher's salary depended upon the results of the students in examinations.9 The English unions are democratic and open to all, and for many years were free of political party affiliations.

It is generally agreed that the strongest educational labor group in the United States is the American Federation of Teachers. The organization is made up of an indeterminate number of local chapters, affiliated with the National Union, which is affiliated with the American Federation of Labor.

It is significant to note the prevalence of teachers' unions in other foreign nations. Organization of teachers into unions began as early as 1905, in France, but no such unions were established officially until 1920. French law specifically forbids public employees from joining unions, but this law is not enforced, and it seems that actual encouragement is even given unionization. Of the approximately 150,000 teachers in France, 130,000 belong to the union.10

In the Western Hemisphere teachers' unions have not been confined to the United States, but flourish in Canada, Mexico, and Chile. Chile possesses one hundred and ten local organizations of the teachers' unions, and they are directly affiliated with the Chile Federation of Labor. Membership in the Chile Teachers' Union is approximately 8000.11 The union believes that all educational facilities should be placed at the service of the people. The

9 Fordyce, op. cit.
11 "Recommendation of the Chile Teachers' Union for School Reform," School And Society, LII (August 17, 1940), 104-105.
educational system should care for the health of children and should prepare the illiterate masses of the country for citizenship. Recently Chile proposed an alliance of teachers' unions in other Latin-American countries, with headquarters in Mexico City.

The inception of an effective union in the United States was begun in Chicago, Illinois. The causes for its emergence were the underlying evils created by municipal and state legislation concerning the governing of schools.

In 1897, the Chicago Teachers' Federation organized to seek better salaries for teachers, and by 1900, the average salary was back to the 1877 level. In a sweeping investigation it was disclosed that many corporations were failing to pay taxes for the educational purposes which were required by state laws. It was found that sixty-eight corporations which should have been assessed at $249,000,000 were actually paying on a total assessment of $1,761,000. Legal action was instituted, and a total of $6,000,000 in tax income was given to the city. The school board failed to use the money to increase salaries, and as a result public opinion was immediately won over to the infantile teachers' union.

From 1907 to 1922, a series of poor administrative procedures and practices were employed in Chicago school affairs. At the time of the investigation, there were twenty-two board members appointed by the mayor and city council. In 1907, a number of board members were removed from office by the mayor, and thereafter political turmoil was rampant. In 1922, a grand jury investigation revealed deplorable administrative practices were being utilized in public school affairs.

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12 Fordyce, op. cit., p. 43.
13 ibid., p. 43.
The early years of the teachers' union in Chicago was a period of mirth to observers, who were inclined to laugh at a "Lady Teachers' Union." In 1902, the Chicago press was sufficiently aroused to denounce the idea and ridicule its members.

The Chicago Federation of Men Teachers was organized and granted a charter by the American Federation of Labor in 1912. Shortly thereafter the women teachers were taken in as active members. The board immediately launched a campaign aimed to disperse the movement. In 1915, the board enacted rules prohibiting membership of any teacher in a trade-union organization. The rule applied to 3000 existing members, and eventually sixty-eight teachers were fired, one-fourth of them being union members. Promotion was made impossible until teachers signed a statement that they were no longer members of unions.

The unhealthy atmosphere of political corruption unquestionably, with the aid of an unsympathetic press, turned the teachers to organized labor groups which were already powerful enough to combat and fight for them.

Fordyce says that teachers have abandoned their traditional organization in favor of unions because of the following:¹⁴

"(1) The failure of the so-called professional organizations to offer adequate and aggressive programs for the teachers' total welfare and protection; (2) mistreatment of teachers by the administration, by either the superintendent or the board of education; and (3) outside causes which are concerned with the economic welfare and the social status of teachers. Inadequate salaries or even reductions in salaries and lack of safe tenure are said to be the cause of unionization in ninety per cent of the communities. Academic freedom, personal freedom from 'Blue Law' regulations, too heavy assignments, need of educational reforms, and distrust of the administration stirred up by outsiders are among other causes. Administrators have many times been responsible, because of their autocratic attitudes and abuse of power. The political control exercised by some school boards has been a common reason for organization."

¹⁴Ibid., p. 43.
Samuel Gompers, with four members of his staff, visited Chicago and probably gave help in drafting the constitution of the American Federation of Teachers, which incidentally closely resembles that of the American Federation of Labor. The American Federation of Teachers is a national professional organization of classroom teachers affiliated with the American Federation of Labor. It was organized April 15, 1916, and affiliated with the American Federation of Labor May 9, 1916. The preamble of the constitution of the American Federation of Teachers sets forth the following statements of beliefs:  

"We believe in democracy, and in the schools as the chief agency of democracy.

"We believe that the schools have failed of their fullest attainment because of undemocratic administration, adherence to tradition, and lack of responsiveness to the needs of the community; and that the teachers must find this remedy.

"We believe that servility breeds servility, and that if the schools are to produce free, unafraid men and women, American citizens of the highest type, the teachers must live and work in an atmosphere of freedom and self-respect.

"We believe that the teacher is one of the most highly productive of workers, and that the best interests of the school and of the people depend on intimate contact and effective co-operation between the teachers and the other workers of the community - upon whom the future of democracy must depend."

The period, 1916 to 1921, saw very little constructive growth among the various teachers' unions; this may be attributed in part to the fact that the American Federation of Labor was busily engaged in fighting for its own survival. From 1920 until about 1926, there was a rather marked decline of member-

15 "Questions and Answers About American Federation of Teachers" (Chicago: American Federation of Teachers, Pam., n. d.).

16 Constitution of the American Federation of Teachers, draft adopted Milwaukee, Wisconsin, June 30, 1933, and corrected September 1, 1945.
ship in teachers' unions, and Fordyce says that the number of members dropped from 10,000 to 3500. However, the period between 1926 and 1934 saw a rather slow but determined rise to around 7000 members. Unquestionably, the slow upsurge was greatly stimulated by the existing economic depression of the early 1930's. From 1934 until the present time there has been a very marked increase in membership. Perhaps the voluminous national legislation affecting the policies of all trade unionism has been the contributing factor. One source lists 30,000 as being the membership of the American Federation of Teachers. Irvin R. Kuenzli, secretary-treasurer, American Federation of Teachers, says that local unions increased from thirty-six in 1933 to two hundred and twenty-five in 1943, with a membership of approximately 40,000. Chicago Local Union No. 1 of the American Federation of Teachers boasts of a membership of 8,000, which comprises approximately two-thirds of the teaching staff in that city.

Local teachers' unions are generally affiliated with local and state labor organizations, a fact which automatically gives them added strength to bargain. The American Federation of Teachers says, "Groups of seven or more teachers in public schools or colleges may be granted a charter upon application to the Executive Council and upon payment of a fee of ten dollars to cover the

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17 Fordyce, op. cit., p. 44.
19 Irvin R. Kuenzli, "Tale of Ten Cities" (Chicago: American Federation of Teachers, Pam., n. d.).
Like most labor organizations, the A. of T. is sensitive to any name-calling that includes "Red" or "Communist." Factional squabbles existing in the union in the 1930's suddenly developed with Communists winning the organization. In 1936, some of the A. of T. locals in New York City were openly charged with being Communist. John L. Childs resigned in 1939 because of the Communist influence which had gained strength in the New York City locals. A joint meeting of the executive boards of the three New York locals was held, and Childs's statements were criticized as having "anti-union and anti-labor consequences." Two weeks later the Central Trades and Labor Council expelled Locals No. 5 and No. 537, and a W. P. A. teachers local No. 453.

John Dewey and 650 others resigned from the New York locals to which they belonged and organized an independent group called "Teachers' Guild." One official said that seventy-five per cent of the membership of the suspended locals were "Stalinists." The suspended locals continued to protest through their officers, talking of the achievements of the three unions, "the forces of reaction," and the "damage to labor." Perhaps this was their method of trying to impress the general public that this fight was just another factional one. Such claims might have succeeded had it not been for prominent leaders such as Dewey, Childs, and others withdrawing from the union.

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22 "Questions and Answers about the American Federation of Teachers" (Chicago: American Federation of Teachers, Pam., n. d.).
24 Ibid., January 6, 1939.
The American Federation of Labor insisted that the American Federation of Teachers purge the organization of Communism. The Executive Council of the A. F. of L. gave the teachers three months in which to get the controversy settled. William Green, at the American Federation of Labor Convention in 1940, said that many people were under the impression that the A. F. of T. "...is controlled by those who are at least flirting with an economic philosophy that is contrary to American ideals and public opinion." In rather explicit terms he demanded a thorough investigation of the practices of the A. F. of T., especially in the New York area.

George S. Counts, professor of education at Columbia University, was elected president of the American Federation of Teachers at the Buffalo Convention in 1940. Counts's election was the result of "a pledge to clean house within the organization." The A. F. of T. in January, 1941, notified New York Local No. 5 that charges of dual unionism and undemocratic practices had been filed against it. The local was charged as follows:

1. It had organized a CIO local where an AFL local existed.
2. Through its communications it had 'aroused hysteria among the membership.'
3. It had violated its jurisdictional rights by enrolling a teacher who properly belonged in another union.
4. It had caused an investigation by the A. F. L.
5. It had aroused hostile feelings among labor groups leading to its expulsion by a central body.
6. It had brought unfavorable publicity to the Federation.

The Executive Council of the American Federation of Teachers then took courageous action which could well be exemplified by any organization. In

28 Proceedings, American Federation of Teachers, 1940, p. 2.
29 "The Fight Against Alleged Communism in the A. F. T.," School and Society, LIII, No. 1361 (June 14, 1941), 750.
CHAPTER III

ANALYSIS OF CONSTITUTION, BY-LAWS, DUES, AND THE STRIKE

The Constitution of the American Federation of Teachers is a brief document containing thirteen articles, and the by-laws are equally brief, containing a mere nine articles. Article I of the constitution specifies that the organization shall be known as the American Federation of Teachers.

Article II sets forth the objectives of the organization.

Article III deals with membership and reads in part as follows: ¹

"This organization shall consist of associations of public school teachers and of other educational workers organized in conformity with the provisions of this Constitution. The organization may admit to membership associations of public school principals, assistants to principals, heads of departments, or other supervising officers, except superintendents, provided:

1. That there shall have been established in the same jurisdiction, city, town, township, or county, a union or unions of public school classroom teachers for a period of six months.

2. That the union or unions of classroom teachers thus existing shall by a two-thirds majority of the members present and voting at a meeting of the locals especially called and publicly announced for the purpose agree to recommend the granting of a charter to those applying under this section."

It is clearly evident that membership is open to all classroom teachers providing miscellaneous requirements are met. Superintendents are specifically excluded from membership. Article III states: ² "No discrimination shall ever be shown toward individual members because of race, religious faith or political activities or belief, except that no applicant whose political actions are subject to totalitarian control such as Fascist, Nazi, or Communist, shall be admitted to membership."

¹ Constitution of the American Federation of Teachers, Seventeenth Convention, adopted Milwaukee, Wisconsin, June 30, 1933, and corrected as of September 1, 1945.
² Ibid.
Any group of seven or more public school teachers may be chartered upon application to the Executive Council of the American Federation of Teachers as a local union. "Teacher" is defined as anyone who does most of his work in the classroom, and who does not have disciplinary or rating authority over other teachers. These two powers are regarded as the source of friction between teachers and administrators. Seven or more principals may secure a charter to establish a local union similarly, providing they comply with various regulations set forth in Article III of the constitution. Private schools may organize by the same general procedure.

Charters may be obtained by "Any group of seven or more public school teachers, upon application to the Executive Council, and the payment of a fee of $10.00, may be granted a charter." A charter issued to any local or state federation may be revoked by the Executive Council when the existence of such is "detrimental to the development of democracy in education."

The officers of the American Federation of Teachers are composed of a president, a secretary-treasurer, and fifteen vice-presidents. These seventeen officials serve as the executive Council. The vice-presidents are chosen from various geographic sections in order that comprehensive representation may be obtained, and the duties of these officers are those usual to their respective offices. The members of the Executive Council, with the exception of the secretary-treasurer, are elected by the annual convention for the term of one year. Article V of the constitution specifies that not more than one-third of the members of the Executive Council may be salaried officers of the American Federation of Teachers. Delegates to the annual convention of the American Federation of Labor are elected by the annual convention, and not more

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3 Ibid., Article IV.
4 Ibid., Article V.
than one-third of the delegates are to be paid officials, unless they are paid officials of local unions. The Executive Council is charged with carrying out instructions of the convention, and it also studies proposals for new school legislation and lobbies for various proposals. By its charter the A. F. of T. has jurisdiction over the United States, Mexico, and Canada. Its relationship with teachers' unions in Mexico and Canada has not been important.\(^5\)

The Executive Council has the authority to determine the place and date of annual conventions. Members of the council are ex-officio members of the conventions, but without vote unless they possess credentials as delegates from their locals. State federations may send delegates, but the delegates are also disqualified from voting privileges.\(^6\) All decisions of the convention and committees of the federation are decided by a majority of the votes cast.\(^7\)

Revenues of the American Federation of Teachers are paid directly to the secretary-treasurer on a monthly per capita tax of each member. With the payment of the per capita tax each member is entitled to a subscription to the official publication of the Federation, namely, The American Teacher. Affiliated locals failing to pay the national secretary-treasurer its per capita tax at the end of three months are suspended from the organization. A local union may elect to make its payments on an alternative plan, which consists of adding the minimum and maximum on a system salary schedule and paying all of a local's dues on this average.\(^8\) The financial secretary of a local is responsible for making a monthly report to the national secretary-treasurer as to exact status of the membership.

\(^6\)Constitution of the American Federation of Teachers, op. cit., Article VI.
\(^7\)Ibid., Article VII.
\(^8\)Ibid., Article VIII.
The A. F. of T. is financed by the dues of its members. These are paid on a graduated monthly scale, determined by the salary the teacher is earning for the present year. Dues are to be paid to the national secretary-treasurer monthly. The failure of local financial officers to comply efficiently complicates any attempt to measure either the number of locals or size of the membership, since both are determined by this per capita tax. The schedule of dues payments is shown in the following table.

**TABLE I**

**SCHEDULE OF DUES PAYMENTS**

<table>
<thead>
<tr>
<th>SALARY</th>
<th>MONTHLY DUES</th>
<th>YEARLY DUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under $1,000 per annum</td>
<td>$1.20</td>
<td></td>
</tr>
<tr>
<td>From $1,000 to $1,500</td>
<td>$1.50</td>
<td>$1.80</td>
</tr>
<tr>
<td>From $1,500 to $2,000</td>
<td>$2.00</td>
<td>$2.40</td>
</tr>
<tr>
<td>From $2,000 to $2,500</td>
<td>$2.50</td>
<td>$3.00</td>
</tr>
<tr>
<td>From $2,500 to $3,000</td>
<td>$3.00</td>
<td>$3.60</td>
</tr>
<tr>
<td>From $3,000 to $3,500</td>
<td>$3.50</td>
<td>$4.20</td>
</tr>
<tr>
<td>From $3,500</td>
<td>$4.00</td>
<td>$4.80</td>
</tr>
</tbody>
</table>

The executive council actually possesses full powers of controlling the affairs and policies of the federation. The council is intrusted with selecting the various minor officials and also has investigative powers into the operation of all locals. The Executive Council may by an unanimous vote of the Council investigate a local whose conduct is not in harmony with the principles of the American Federation of Teachers and tends to bring the A. F. of T. into disrepute. The action of the Council in such cases shall be final unless an appeal is made against the decision to the next National Convention.

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9 Fordyce, op. cit., p. 23.
10 Constitution of the American Federation of Teachers, op. cit., Article VIII.
11 ibid., Article IX.
The philosophy of the teaching profession is founded upon public service. This service is rendered by the profession to the children and to the community, through its elected representatives, the board of education. Legally, this board of education is an agency of the state. To resist law and government in wartime can only be defined as treachery. A peacetime definition of such a strike has never been clearly given. Ziskand says in this connection:

"The courts have never passed directly upon the right of government employees to strike."

One of the first things confronting a teacher upon joining an organization affiliated with organized labor is whether he is willing to use labor's weapon for achieving its goals, namely, use of the strike. Other problems are whether teachers will employ the boycott and blacklist. The use of the traditional strike, boycott, and blacklist is perhaps objectionable to most teachers, but acceptance of this weapon is necessarily of paramount importance. The use of the strike, boycott, and blacklist among British Teachers' Unions has been a powerful force in obtaining desired objectives.

The American Federation of Teachers maintains a non-strike policy. It is an autonomous body within the American Federation of Labor and cannot be compelled by any labor industry to take action it does not wish to take. A clause is usually included in most locals' constitutions which denies it will use the strike. Samuel Gompers, President of the American Federation of Labor, issued the following statement in 1919:

"The American Federation of Teachers is an International Union having absolute control over its own policies and actions. No Local or State Central Labor Body nor the American Federation

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13 "Can Teachers' Unions Be Called Out on Strike?" (Chicago: American Federation of Teachers, Pam., 1943).

14 Ibid.
of Labor has the right or the power to call upon the teachers, under any circumstances, to strike. Therefore, since the American Federation of Teachers does not use the strike, the affiliation with it of local federations of teachers cannot in any way involve the teachers in a strike. While it is a matter outside the jurisdiction of the American Federation of Labor, the non-strike policy of the American Federation of Teachers meets with our approval."

In 1942, President William Green, of the American Federation of Labor, issued a similar statement: 15

"The American Federation of Teachers occupies a different relationship to the nation's economic and social order than other members of the American Federation of Labor employed in private industry and in private enterprises. Public schools are a part of our national educational system. They are publicly administered and publicly supervised. There is no relation whatever between our public school system and private enterprise.

"It is recognized by the American Federation of Labor that those employed in private enterprise may mobilize their economic strength and if necessary resort to strike for the purpose of redressing grievances orrighting wrongs. The American Federation of Labor on the other hand, has made it clear that those who are members of the American Federation of Teachers must secure redress for grievances and promote their economic welfare through the use of organizational methods other than resort to strike. Membership on the part of teachers in the American Federation of Labor means that the facilities of the American Federation of Labor, the concentration of organized effort and unity of action must be used in the promotion of the economic status of teachers rather than the strike weapon. The American Federation of Labor could neither countenance nor endorse the exercise of the right to strike on the part of the American Federation of Teachers for the redress of grievances and the promotion of their economic welfare. For this reason, no local or state body can call upon the membership of an affiliated local of the American Federation of Teachers to resort to strike or to participate in a general strike."

The Executive Council of the American Federation of Teachers issued the following statement, January 5, 1942: 16

"Locals of the A. F. of T. are advised that in the event of strikes being called by unions whose members are employees of Departments of Education, the teachers are still obliged to report for their duties even though this may mean passing through picket lines. Teachers are under contract with Boards of Education for the school year, and such contracts must be respected. This is in keeping with labor's established policy in the matter of contracts."

15 ibid.
16 ibid.
Unorganized or non-union teachers have employed the use of the strike on many occasions. Non-union teachers of Memphis, Tennessee, employed the strike securing the promise of a ten per cent salary increase. Teachers in the vicinity of Bellwood, Pennsylvania, won a salary increase through the strike. Among other places are Grainwood and Duquoin, Illinois. In February, 1943, non-union teachers of Rankin, Pennsylvania, went on a sit-down strike to compel the board of education to grant a salary increase.\textsuperscript{17}

In November, 1946, thirty-eight schools were closed in Warren County, Tennessee, by a strike of 133 non-union teachers and thirty bus drivers, who demanded monthly salary increases of twenty to twenty-five dollars.\textsuperscript{18} This action affected 3500 pupils, and the strike was finally concluded two weeks after its beginning with a promise that the county court would hear their plea.\textsuperscript{19}

Strategy embracing the principles of the strike were employed, January 6, 1947, when 135 teachers in Robertson County, Tennessee, resigned as a result of the county court's failure to approve a requested $20.00 monthly salary increase. The teachers maintained they were not striking, but all schools in the county were closed because of the resignations. This group of teachers were not affiliated with a union but were acting independently in their concerted effort for salary increases.\textsuperscript{20}

Other instances of non-union teachers employing the strike may be seen by 450 New Castle, Delaware, teachers, drafting a resolution calling for a walkout, February 1, 1947, unless the state legislature grants them a $2400

\textsuperscript{17}Ibid.
\textsuperscript{18}Fenn City Daily News, Bowling Green, Kentucky, November 24, 1946.
\textsuperscript{19}Nashville Tennessean, Nashville, Tennessee, December 22, 1946.
\textsuperscript{20}The Courier-Journal, Louisville, Kentucky, January 7, 1947.
minimum salary. Nearly 100 Coal Township, Pennsylvania, non-union teachers failed to report to their classrooms, December 2, 1946, in a dispute over demands for $300 bonuses and annual salary increases. Their strike gave a holiday to 2400 pupils. In November, 1946, four schools near Fort Dodge, Iowa, were closed as a result of five teachers going on strike to enforce their demands for a $30.00 monthly pay increase, to $190.00. The schools had an enrollment of about ninety pupils.

Despite the non-strike policy of the American Federation of Teachers there have appeared instances of affiliated locals using or threatening to use this weapon. The American Federation of Teachers has denied sanctioning such strikes, and it appears that the action has been taken to a great extent by the local unions acting independently in this matter. The union has repeatedly reiterated its no-strike policy. This policy was clarified in the 1946 teacher strikes of St. Paul, Minnesota, when Irvin R. Kuenzli, secretary-treasurer of the American Federation of Teachers, said, "The strikers must take any consequences which may follow their decision to violate that policy."

On November 25, 1946, members of the American Federation of Teachers used the strike to close St. Paul, Minnesota's, seventy-seven grade and high schools. The local teachers' unions maintained an agreement with school engineers whereby school buildings would be heated to only forty degrees Fahrenheit, just enough to prevent pipes from freezing. Approximately 1000 of the school system's 1165 teachers began picketing in an effort to enforce demands for salary increases which would raise the present $1300 to $2600 salary range to a $2400 annual salary for beginners and a maximum of $5000 for those having

22 Daily-Post-Athenian, Athens, Tennessee, December 20, 1946.
24 Park City Daily News, Bowling Green, Kentucky, November 26, 1946.
college degrees. Approximately 35,000 pupils were affected by this strike. The governor urged the city council and the teachers’ union to work out some system of bargaining.\textsuperscript{25} The strike was partially concluded, December 4, 1946, with the granting of a $150 cost-of-living bonus to be paid for the month of December and a flat increase for all regular classroom instructors in 1947. Effective January 1, 1947, salaries are to be from $2,000 to $4,200 for teachers with bachelors’ degrees, and $2,200 to $4,400 for masters’ degrees, $2,400 to $4,600 for doctors’ degrees, and $2,400 to $3,800 for teachers without degrees. The superintendent stated that all teachers would be reclassified, with annual increases being computed on a basis of $200 so that teachers will be able to reach their maximum pay levels within twelve years. These changes will effect a $2,000,000 increase in the annual school budget.\textsuperscript{26}

On December 9, 1946, more than 9,000 pupils were affected by a wage dispute between an A. F. of L. Teachers’ Alliance and the City Committee of Pawtucket, Rhode Island. The governor criticized the closing of the schools at the "expense of children's education." The chairman of the school committee ordered the schools to remain closed after the teachers voted to walk out in order to press their demands for a minimum yearly wage of $1,800 and a maximum of $4,000. This scale would mean $600 increases for some of the city’s 400 teachers. The governor threatened intervention if the dispute were not settled, and as a result only tentative gains were accomplished.\textsuperscript{27}

Glenn Frank thought the teachers’ union would degenerate into an ordinary association of the traditional type if it refused the weapons organized labor

\textsuperscript{25} The Courier-Journal, Louisville, Kentucky, November 26, 1946.
\textsuperscript{26} Park City Daily Herald, Bowling Green, Kentucky, December 4, 1946.
\textsuperscript{27} The Courier-Journal, December 10, 1946.
would place in its hands. His position was that teachers should organize for what he called an "educational democracy," which under his definition is actually what has been advocated by the teachers' union in the area of democratization of the schools. 26

The National Union of Teachers in England makes most effective use of the strike as one of its weapons for teacher welfare. There seems to be complete acceptance of this technique by the English people, and no question has been raised concerning its ethical use. The English strikes have been concerned with salaries and dismissals of teachers. The adoption of a national salary schedule known as the Burnham Scale, approved by the National Union of Teachers, in 1919, was accepted by 249 of 311 local education authorities in England as the basis of their pay scale for teachers. By 1922, a total of 260 of the authorities had adopted this scale. 29

In West Ham, the local education authority asked the teachers to accept a scale lower than agreed upon. Some teachers refused and were dismissed. The union asked the other teachers to resign, and all did so. The union supported the strike from its sustenance fund until the education authority capitulated, being unable to secure teachers. In Herefordshire the teachers asked for a schedule, which the board refused. The board also refused to meet with teachers or union representatives. Fifty schools were closed in this strike. The attempt to obtain teachers by advertising, even in Scotland, failed, and the board gave in and furnished a scale. There were thirty-one strikes of English teachers in 1919. 30

26 Glenn Frank, "Should Teachers Unionize," The Century, CI (February, 1921), 530.
30 Ibid., p. 32.
There are marked characteristics in the use of the strike by the National Union of Teachers of England and also in the way it makes use of other devices of trade-unionism. It uses the strike openly and states its position publicly. The union will not approve of a strike in any school unless the local educational association, which corresponds to the American union local, gives its approval first, and until a complete investigation by the National Union verifies these findings. In case of unjust dismissals the union requests all the teachers in the school or district affected to "resign," which in England means "strike." It black-lists the school by publishing a statement on the front page of its magazine, The Schoolmaster, that teachers are requested not to accept appointments to this school or district. The power and the unity of the organization is such that no certificated teacher will break the strike by answering an advertisement in such a district. The various education authorities have reached a point where they will not employ what an American unionist calls a "scab," but which in England is a "black-leg" teacher.

Teachers on strike are supported, in many cases by full salary, from the sustenation fund of the union. This fund serves to make the teachers willing to accept decisions of the union and its committees and makes the strike threat even more effective with representatives of the "rate payers."

The absence of such a practice in the American Federation of Teachers makes any charge of strike an "obnoxious" trade-union practice on the part of the federation and one of doubtful veracity on the part of its opponents. The American Federation of Teachers has in recent years begun the establishment of a "Defense Fund," allocating one cent a month from every member's dues to this fund. It is to be used for the legal defense of teachers who have, in the judgment of the American Federation of Teachers, been unjustly treated. In 1943, it amounted to $7,000, while that of the English union was over
$6,000,000 at the same time.\textsuperscript{31}

The American Federation of Teachers was for many years on the brink of financial failure. In 1936, the organization was in debt several thousand dollars for back salaries to its employees and for other operating contingencies. With the rise in membership, especially during the World War II period, the financial structure of the organization has become much more sound. By 1946, tangible assets were listed as being in excess of fifty thousand dollars.\textsuperscript{32}

War bonds have been purchased by the organization to the extent of $11,700.00, and the current balance in the treasury for the fiscal year 1945-1946 was $31,327.52.\textsuperscript{33} The reserve funds in the A. F. of T. have been built without increases in dues from locals and without special assessments.

The per capita income of the A. F. of T. for the 1945-1946 fiscal year increased $10,432.86 over the income of the previous year. This increase may be attributed to the increase in the salaries of teachers automatically increasing the rate of dues paid by local unions.\textsuperscript{34}

The defense machinery of the American Federation of Teachers has been greatly strengthened in recent years by the "defense fund," which gives financial assistance to local unions in fighting tenure cases. All members of the American Federation of Teachers are protected by this fund in the case of unjust dismissal or upon application by the local to which the teacher belongs.\textsuperscript{35}

\textsuperscript{31} \textit{Ibid.}, p. 33.
\textsuperscript{33} \textit{Ibid.}, p. 15.
\textsuperscript{34} \textit{Ibid.}, p. 16.
\textsuperscript{35} \textit{Ibid.}, p. 35.
CHAPTER IV

LEGAL ASPECTS OF TEACHERS' UNIONS

The legality of teachers' unions cannot be summed up with any single statement. Because of the lack of specific legislation it is difficult to ascertain the true status of teachers' unions, and at the present time, it is possible only to survey the isolated phases of the legal aspects. General labor legislation, opinions, and court decisions covering public employees must serve as the criteria for gaining insight into this controversial question until adequate legislation is enacted determining the true status of teachers' unions.

Thiel has aptly said: 1

"Many boards of education are prejudiced against such affiliations and register their sentiments by their refusal to re-employ such affiliates. Some states like Wisconsin have so-called 'Yellow Dog' statutes to prevent this kind of discrimination, others have not. This has resulted in discussion and controversy relative to the rights of teachers to join unions, or even whether such membership is ethical or professional, too perhaps legal. Much of this discussion has taken on considerable heat as well as a tendency toward ir- rational statement. As legislation tends to lag in situations like this, local boards will continue to use their own discretion with resulting litigation sponsored by group action."

It is well to observe the general legislation which has effectively given trade unions an inalienable right to their existence, and it is entirely pertinent to present a few of the high lights of the legislation permitting these rights.

Prior to the passage of the National Industrial Recovery Act in 1933, the employed workers of this country had the legal right to seek collective bar-

gaining by lawful means, but there was no reciprocal duty for the employers to accord this privilege.\textsuperscript{2} Employers had many ways of keeping "bona fide" unions of workers from gaining sufficient strength to establish collective bargaining. One of these methods, the "yellow-Dog Contract," is frequently used in the employment of teachers. A "yellow-Dog Contract" simply means that the employee signs a statement agreeing not to join or retain membership in a union or to enter negotiations with union representatives.\textsuperscript{3} By the famous Coppage and Adair decisions, Federal and state statutes making the imposition of such "yellow-Dog Contracts" by the employers a misdemeanor, was declared unconstitutional by the United States Supreme Court as violating the Fifth and Fourteenth Amendments of the Constitution by taking "life, liberty, and property without due process of law;" however, the Norris-LaGuardia Act of 1932 modified the results of this decision.\textsuperscript{4}

The National Labor Relations Act of 1935, passed by Congress and sometimes referred to as the Wagner Act, gave sweeping powers to organized labor groups. The purpose of the act was, as Congress said,\textsuperscript{5} "To diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, to create a National Labor Relations Board and for other purposes."

The act was in part as follows:\textsuperscript{6}

> "It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions to the free flow of commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of


\textsuperscript{3}Ibid., p. 13.

\textsuperscript{4}Ibid., p. 14.


\textsuperscript{6}Ibid.
association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

Teachers do not come within the bounds of this act as may be clearly seen by the following provision: 7

"The term 'employer' includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, or any State or political subdivision thereof, or any person subject to the Railway Labor Act, as amended from time to time, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organizations."

The validity of this act was established by the Supreme Court in a series of decisions in 1937.

The National Labor Relations Act does not bar or make membership in a teachers' union illegal, but rather denies members the right of mediation of grievances by the National Labor Relations board and does exclude various groups from deriving powers thereby. The American Federation of Teachers expressly states that it does not come within the bounds of this act. 6

Several states have adopted Labor Relations Acts which have been termed "small wagner acts." They exclude the application of their respective laws for employees of the United States and the state government in general, such states are New York, Massachusetts, and Utah. 9

Teachers' unions are somewhat wary of their own legal status, as is exhibited in their advice for a general procedure to be followed for the establishment of relationships between the board of education and new local

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7 Ibid., Definitions, Part 2.
unions. Perhaps this can be attributed to a desire to keep down ill feeling or the desire to eliminate controversy which might arise between the two parties. The American Federation of Teachers suggests the following procedure for the establishment of such a relationship:

"1. Since teachers are not covered by the Wagner Labor Relations Act, in most cases it is not advisable to demand formal recognition from the school board as is often done in the case of other unions. A new A. F. of T. local may consider itself recognized as soon as the school board transacts business with it.

2. If a new local desires to hold meetings in school buildings, it is usually better not to ask formal permission from the school board to hold such meetings. As a rule the best procedure is to assume that meetings may be held in school buildings and to approach the proper authorities regarding the possibility of securing a room for a meeting at a certain time. If permission is refused, it is better to meet elsewhere and not engage in a controversy over a matter of this type which is relatively unimportant.

3. As a rule it is unwise to present a large number of demands to the school board as soon as the local is formed.

4. New locals should try to secure a definite printed salary schedule if such a schedule is not already in existence. The very heart of collective bargaining in the A.F.T. consists in negotiating a definite printed schedule which applies to all teachers. Only through such a printed schedule can the schools be protected from political favoritism.

5. New locals should make a careful study of the financial status and financial resources of the school board as an intelligent basis for collective bargaining. The usual reply of boards of education to teachers, when they seek better salaries, is 'we would be only too glad to pay the increases if we had the money.' Representatives of local unions should know whether the money is actually available and if not how it may be made available under local, state, and federal statutes.

6. It is often advisable to have a committee from the union visit the superintendent of schools and the individual members of the board of education to explain that a local of the A.F.T. has been formed, that the organization has a high standing in
the educational affairs of the nation, that the teachers' union movement has spread rapidly throughout the nation in recent years, and that the organization is interested in improving the educational system of the City as well as providing for the professional interests of the teachers.

7. It is of vital importance that new locals establish friendly relations with their respective central labor unions. Delegates from the A. F. of L. should attend regularly the meetings of the central body which represents all important problems.

8. The American Federation of Labor for many years has advocated labor representation on school boards and repeatedly has urged local labor bodies to elect representatives of organized labor on such boards."

Tacit acceptance of the legal implications of unions may be gleaned from actions such as was utilized in Milwaukee, Wisconsin, recently:11

"The board of school directors has ordered that teachers who attend the Wisconsin Teachers' Association Convention on November 7 and 8, 1946 shall be paid as in previous years. Members of the Wisconsin Federation of Teachers (A.F.L.) will also be paid, provided they attend the morning (general) sessions of the association."

Because of recent upsurges in teacher unions in Colorado, Upton Cose wrote an editorial demanding salary increases for teachers and laws prohibiting teachers from joining unions.12 This editorial implies a basis of legality of teachers' unions in Colorado.

A very significant bill was introduced in the Nebraska Legislature in 1943, to guarantee the right of public employees to organize into trade unions. Attorney General Walter A. Johnson delivered an opinion on the constitutionality, which in substance was as follows: The bill indicated constitutionality, but was unnecessary, since the right of public employees to organize into trade unions and to bargain collectively was already established. The


12 Irvin R. Kuenzli, "The Union in Action, 1946" (Chicago: American Federation of Teachers, Pam., n. d.).
passage of such a bill would be, therefore, merely a declaration of existing rights.\textsuperscript{13}

Fordyce suggests that with the expansion and development of organized labor since 1930, the public has made a quasi-acceptance of unionism which has led to modifications in public attitudes toward teacher unions.\textsuperscript{14} He asserts:\textsuperscript{15}

"This inference is supported by the fact that with the organization of new locals, the opposition does not claim that teachers do not have the right to organize into unions, but is principally concerned with the professional and ethical question of the right of any public employees to affiliate with organized labor."

Michigan specifically prohibits teachers' unions, but in spite of this fact, boards of education are being forced to deal with representatives of unions. It seems to be generally true that the most effective unions exist in the large cities, where they receive financial and legal assistance from the parent unions. The American Federation of Teachers has aggressively claimed teachers have the right to affiliate with whom they please.

It is readily apparent that passive acceptance of teacher unions lends support to making them perhaps partially legal or at least sanctions their operation. For example, a Flint, Michigan, board of education member in addressing the Michigan Federation of Teachers said in part:\textsuperscript{16}

"The board should insist that its administrators deal democratically with its employees. Teachers should have a voice in promotions, curriculum revisions, and choice of textbooks.

\textsuperscript{13}Letter to Senator George B. Craven from Walter R. Johnson, March 22, 1943, "The Right of Public Employees to Organize and Bargain Collectively."


\textsuperscript{15}\textit{Ibid.}

\textsuperscript{16}"Flint Board of Education Member Discusses Duties of School Board," \textit{The American Teacher}, XXX, No. 2 (November, 1945), 28.
"Employee organizations should have the right to bargain collectively with the administration on major issues, with the board. This should be done readily, with an air of congeniality which evinces a realization that problems are mutual..."

Similarly the Mobile Federation of Teachers, Mobile, Alabama, lists among its many achievements: 17

"Representatives from the Federation were invited by the Superintendent of Schools to meet with him and representatives from other teacher organizations to discuss the salary recommendations to the school board for next year. After this meeting the Federation salary schedule committee drafted a letter to the Superintendent and to each member of the school board giving its reactions, both favorable and adverse, to those recommendations."

A very bitter controversy over a "Yellow Dog" contract for teachers in Oklahoma City, Oklahoma, was settled by an agreement reached between the American Federation of Teachers and the board of education of that city. For several years teachers in Oklahoma City were required to sign a contract including a clause stipulating that they were not members of the American Federation of Teachers or any other organization affiliated with organized labor. 18 With the removal of this clause teachers were granted the right to affiliate with any professional organization that they desired. In the fight for removal of this feature the American Federation of Teachers charged it as being a violation of the civil rights of teachers and was also opposed to the fundamental principles of American democracy.

A very interesting example of this question may be seen by the establishment of a teachers' union in New Britain, Connecticut. In the establishment of this local union an election was conducted under the auspices of the state

17 "Mobile Local's Activities Feature Publicity and Public Relations," The American Teacher, AAA, No. 1 (October, 1945), 36.
18 Ibid., p. 3.
laws as to whether or not the teachers should be represented by a union. The results of the election were as follows: Out of a total of 385 eligible voters, 294 voted for the union, 57 voted against the union, and 34 did not vote. As a result of the election the school board insisted that it could not carry on collective bargaining with a union of public employees. State legal authorities, however, rendered the opinion that teachers have the right to organize into unions and to bargain collectively with their employers. A similar ruling was delivered by Illinois state authorities in the establishment of a union in Decatur, Illinois.

In 1930, the board of directors of Seattle School District No. 1, Seattle, Washington, adopted the following resolution:

"That no person be employed hereafter, or continued in the employ of the district as a teacher while a member of the American Federation of Teachers, or any local thereof; and that before any election shall be considered binding, such teacher shall sign a declaration to the following effect: 'I hereby declare that I am not a member of the American Federation of Teachers, or any Local thereof, and will not become a member during the term of this contract.'"

Action was brought by the American Federation of Teachers to enjoin the board of education from enforcing the resolution. The Supreme Court of Washington refused to issue the injunction. The court pointed out that boards of education, under the statutes, have authority "to adopt and enforce such rules and regulations as may be deemed essential to the well-being of the schools." The court further ruled that the only issue involved in the case was the inalienable right of the board to employ such teachers as it pleased.

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20Ibid.
21"Authority of Boards of Education to refuse to Employ Teachers Who Are Members of Teachers' Unions," The Elementary School Journal, XXXI, No. 7. (March, 1931), 461.
22Ibid., p. 462.
The following statement is quoted from the court's opinion:

"The employment of teachers is a matter of treaty or voluntary contract. Both parties must consent and be mutually satisfied and agreed. On the part of each it is a matter of choice and discretion. However, though qualified, no teacher has the legal right to teach in the schools until the directors willingly enter into a contract for that purpose. Similarly, the directors have no legal right to the services of any teacher until the teacher voluntarily enters into a contract for that purpose. Unless limited by statute in some way, the board is entitled to the right of freedom of contract as much so as the teachers are. It affects the right of a contract that may not be canceled or impaired at the will or discretion of the board of directors, but only for sufficient cause. The argument is made on behalf of the appellants that if the judgment in this case is correct, then it must follow that the school board has the power to banish certain enumerated classes of persons from its teaching force. We do not so understand; no teaching force or outstanding contract is involved. The principle announced by the judgment is that the courts will not interfere with the discretion of the board in the future employment of teachers. The exercise of the power to employ does not in any way affect a present teaching force or any part of it, but only the right of contract in creating or establishing a future teaching force."

Mr. Justice Seals of the Washington Supreme Court wrote a strong dissenting opinion in which he stated:

"I cannot escape from the conclusion that if respondents have under the law authority to insist upon the signing of the foregoing declaration as a prerequisite to entering into contracts with teachers, another board of school directors would have the right to insist upon a declaration that such prospective teacher is a member of the American Federation of Teachers, or will join the same and maintain membership there-in during the contract period. This question is, therefore, of great importance.

"Granting, as I do, that school directors have the widest discretion in determining the persons with whom they shall contract as teachers for their respective districts, I am also of the opinion that if such a board does not undertake to lay down in advance any rule which will form a partial basis to be
The following statement is quoted from the court's opinion:

"The employment of teachers is a matter of treaty or voluntary contract. Both parties must consent and be mutually satisfied and agreed. On the part of each it is a matter of choice and discretion. However, though qualified, no teacher has the legal right to teach in the schools until the directors willingly enter into a contract for that purpose. Similarly, the directors have no legal right to the services of any teacher until the teacher voluntarily enters into a contract for that purpose. Unless limited by statute in some way; the board is entitled to the right of freedom of contract as much so as the teachers are. It affects the right of a contract that may not be canceled or impaired at the will or discretion of the board of directors, but only for sufficient cause. The argument is made on behalf of the appellants that if the judgment in this case is correct, then it must follow that the school board has the power to banish certain enumerated classes of persons from its teaching force. We do not so understand; no teaching force or outstanding contract is involved. The principle announced by the judgment is that the courts will not interfere with the discretion of the board in the future employment of teachers. The exercise of the power to employ does not in any way affect a present teaching force or any part of it, but only the right of contract in creating or establishing a future teaching force."

Mr. Justice Beals of the Washington Supreme Court wrote a strong dissenting opinion in which he stated:

"I cannot escape from the conclusion that if respondents have under the law authority to insist upon the signing of the foregoing declaration as a prerequisite to entering into contracts with teachers, another board of school directors would have the right to insist upon a declaration that such prospective teacher is a member of the American Federation of Teachers, or will join the same and maintain membership therein during the contract period. This question is, therefore, of great importance.

"Granting, as I do, that school directors have the widest discretion in determining the persons with whom they shall contract as teachers for their respective districts, I am also of the opinion that if such a board does not undertake to lay down in advance any rule which will form a partial basis to be

24. ibid.
June, 1941, the council revoked the charters of New York Local Union No. 5, New York College Local No. 537, and Philadelphia Local No. 192 on the charge that they were "communist controlled and dominated." The outlawed unions represented 7,000 members, one-fourth of the dues-paying Federation membership of 28,000.31

There is evidence that the American Federation of Teachers has learned its lesson from accepting unsolicited membership, and it has shown a remarkable attempt to rid its organization of undesirable elements. The organization has survived a series of complicated and serious problems.

taken into consideration in the making of teachers' contracts, such a rule must be in accord with law and should form a legal basis for abrogating the contract of employment if it later appears that the rule has been violated.

"There is a great difference between the exercise of that judgment and discretion which respondents exercise in individually contracting with teachers and the laying-down in advance of a definite rule whereby certain persons are excluded from such employment for reasons having nothing to do with their moral or physical characteristics, their educational qualifications, or their general ability as teachers. It must certainly be admitted that a board of school directors could not resolve that it would employ as a teacher no one who was over six feet or under five feet four inches in height, or who possessed or failed to possess some other physical characteristic wholly irrelevant to the teaching ability of its possessor. The action of a board in insisting upon the maintenance of any such whimsical standard would certainly be restrained by the courts."

The authority of a board of education to refuse to employ teachers who maintain membership in a teachers' union came before the Circuit Court of Ohio in the case of Frederick v. Owens, 35 Ohio Cir. Ct. 536, and before the Supreme Court of Illinois in the case of People v. Chicago, 278 Ill. 318, 116 N.E. 156, 160 L.R.A. 1917a 1069. In both cases the authority of the board was sustained. In the Illinois case the court in a majority opinion went so far as to say: 25

"The board has the absolute right to decline to employ or re-employ any applicant for any reason whatever or for no reason at all. The board is responsible for its action only to the people of the city, from whom, through the mayor, the members have received their appointments. It is no infringement upon the constitutional rights of anyone for declining to employ him as a teacher in the schools, and it is immaterial whether the reason for the refusal to employ him is because the applicant is married or unmarried, is of fair complexion or dark, is or is not a member of a trade union, or whether no reason is given for such refusal. The board is not bound to give any reason for its action. It is free to contract with whomsoever it chooses."

CHAPTER V
OBJECTIVES OF TEACHERS' UNIONS

The objectives of teachers' unions are rather specific; however, upon investigation it is quite noticeable to observe the ease that the executive Council utilizes to meet any and all economic problems of a current nature. At different intervals the union has taken an aggressive position on wages, tenure, federal aid, curriculum, and all other matters pertaining to public school administration.

The objectives of the American Federation of Teachers embrace a wide area. The over-all objectives of the organization are: 1

1. To bring associations of teachers into relations of mutual assistance and co-operation.
2. To obtain for them all the rights to which they are entitled.
3. To raise the standards of the teaching profession by securing the conditions essential to the best professional service.
4. To promote such a democratization of the schools as will enable them better to equip their pupils to take their places in industrial, social, and political life of the community.
5. To promote the welfare of the childhood of the nation by providing progressively better educational opportunity for all."

Immediate or yearly objectives are often set forth by the American Federation of Teachers; for instance, the Executive Council has supported and urged the adoption of provisions in any federal aid law enacted that would have been in accord with the following principles: 2

"1. Any federal aid bill adopted should make possible a nationwide program of educational reconstruction.

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1 "Constitution of The American Federation of Teachers - Adopted at the Seventeenth Convention, June 30, 1933, Corrected September 1, 1940, Milwaukee, Wisconsin, Article II.

2 "A.F.T. Executive Council Outlines Broad Peacetime Program," American Teacher, XXX, No. 1 (October, 1945), 7."
2. The federal aid law should provide a permanent rather than an emergency program.

3. All funds allocated under the federal aid law should be distributed on a basis of relative need.

4. All states and local subdivisions thereof should maintain salaries and school services at as high a level as the rate paid at the time of the enactment of the federal aid law.

5. A definite proportion of any federal aid funds appropriated should be earmarked specifically for public school teachers' salaries.

6. Educational opportunities within the states and the educational rights of minority groups should be protected and promoted under the law.

7. State educational authorities should be required to announce publicly how they will spend federal funds before such funds are spent, and later report as to how such funds have been spent.

8. Grants that may be considered as contributing directly to the health and welfare of the individual child should be made available without reference to race or religion. Such grants should be made available to all children, regardless of whether they attend public or non-public schools."

The field of organized labor has long advocated educational reforms and remedial legislation and to a certain extent has probably contributed to the accomplishment of these desired goals. At its first convention in 1881, when the American Federation of Labor was known as the Federation of Organized Trades and Labor Unions of the United States and Canada, the American Federation of Labor set forth the pronouncement: ³

"We are in favor of the passage of such legislative enactments as will enforce by compulsion the education of children; that is the state has the right to enact certain compliance with its demands, then it is also the right of the state to educate its people to the proper understanding of such demands."

Since the first convention in 1881 of the American Federation of Labor, practically every successive convention has dealt with an education policy.

³Irvin R. Kuenzi, "Labor, Education and Democracy" (Chicago: American Federation of Teachers, Pam., 1941).
to be followed and advanced by the organization. The American Federation of Teachers has relied upon the American Federation of Labor for financial and public relations support for the advancement of its avowed objectives. Repeatedly the A. F. of T. has reminded non-union teachers that strength is gained by unionization. The implication has been, to a certain degree, that teachers working in unison with a union which in turn is affiliated with one of the large trade unions can accomplish legislative results in their favor.

Objectives or procedure concerning the program to be followed for the promotion of membership in the organization were specified at the American Federation of Teachers Convention in 1938:

1. Teachers were urged to enter community service wherever possible, to build a friendly feeling toward the teachers. They were urged to teach Sunday School, to work with community groups such as the American Legion, the Parent Teacher Association, and community service clubs in order to attain this purpose.

2. Organizers should be selected from among local residents of a community to make the promotional effort one which would have local confidence.

3. First approaches should be made through social contacts. Parties and teas were suggested as methods of approach within a community.

4. Favorable support should be solicited from local religious leaders, the Y.M.C.A. and the I.W.W.A., before actually making the organizational attempt.

5. Support of local units of organized labor should be solicited and members of local labor organizations should be called upon to assist the teacher union organizer.

6. The organizer should have a plan for action prepared so that when the local was formed, he would be able to present it. This plan would result in giving the teachers confidence in the ability of the union to meet their needs.

7. The promotional effort was to be concentrated in urban, industrial areas where organized labor was strong.

*Proceedings, American Federation of Teachers, 1938, p. 25 ff.*
8. The continuity of the promotional effort was to be emphasized, and officers of the Federation were directed to assist in every way possible.

9. An appropriation of $50,000 was made to carry on this promotional program.

10. It was recommended that special assessments be voted to produce funds for financing the renewed drive for expansion of the organization."

The following points describe briefly some of the principal activities of the American Federation of Labor, in cooperation with the American Federation of Teachers, in the field of education, child welfare, and the needs of youth during the period of World War II. The list, which is by no means complete, includes only major activities carried on by the A. F. of L. and the A. F. of T. on a national scale. These points outline in a general way some of the major educational objectives, in recent years, of an organization of more than seven million members and one of the largest trade unions of its kind in the world. The A. F. of T. and A. F. of L. claim the significance of this program to educators and parents is emphasized by their joint effort in the field of education, and they constitute an organization which is approximately twenty-five times as large as the largest teachers' organization in the nation:5

1. An over-all education program for the war emergency.
2. Expansion rather than curtailment of education during the war period.
3. Better educational facilities for the armed forces.
4. Campaign against child labor.
5. Smaller classes; opposition to over-crowding.
8. Support of education through political parties.
10. Governmental educational services for organized labor.
12. Re-organization of veterans' administration.

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5Irvin K. Azeniah, "Labor's Battle for Education during World War II" (Chicago: American Federation of Teachers, Pam., n. d.).
13. Full employment including veterans and youth.
14. Opposition to hasty, ill-considered programs for
   universal military conscription.
15. Extension of social security.
17. Better salaries for teachers."

Teachers' unions have failed to commit themselves definitely on the
question of curriculum revision. Other than making rather general and repeated
statements for a curriculum based on the preservation and promotion of de-
mocracy, their ideology is somewhat vague. Nevertheless, the American Federation
of Labor has advocated the retention and promotion of the social sciences in
the curriculum. It is also true that they have expressed pleasure and approval
of curriculums offered at various colleges and universities dealing with labor
problems. Physical science has also received encouragement from organized
labor. The Permanent Committee on Education of the American Federation of Labor
sent the following program of education to all state federations of labor and
city central labor unions throughout the nation, February 1, 1940:

"1. Adequate and proper enforcement of compulsory school
   attendance laws.

2. Adequate appropriations for the maintenance of schools
   to be administered for the social well being of the
   students to be taught in classes not to exceed twenty-
   five, in well constructed buildings, by teachers paid
   salaries commensurate with the great value of their
   service to the community.

3. Professional and social security for teachers, through
   state-wide tenure laws, teacher pension laws, and leave of
   absence.

4. Provision for the training for civic responsibility for all
   persons in the community.

5. Negatively there must be no substantive legislation on
   curriculum making, and no limitations enacted into law which
   would prevent the teaching of social and physical sciences
   in our schools, a principle in absolute keeping with the
   great tradition of free government upon which our schools
   are founded."

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6"Labor's Program of Education for the Classroom Teachers of America"
(Chicago: American Federation of Teachers, Pam., 1940).
A foremost objective of teachers' unions has been that of tenure. Tenure laws have been enacted in a majority of states, but there have arisen many controversies concerning the application of these specific laws. No doubt the comparative recency of the tenure laws has caused many and diverse problems for administrators. The American Federation of Teachers has argued vehemently for tenure rights; a very interesting dispute in this connection occurred in Covington, Kentucky. It is impossible to ascertain all of the significant facts in the dispute, but it seems that Mr. Fitzhugh was transferred, on March 20, 1945, from the Holmes High School, where he had taught Business Law for seventeen years, to a fourth-grade teaching position. In August, 1945, Fitzhugh was assigned to teach forty-five pupils in a fifth-grade class. It seems that the union advised the teacher to accept the grade school position, since it believed the transfer was to compel his resignation. This case has received widespread publicity and was described in Time magazine.

Negotiations between the Kentucky State Federation of Teachers with the superintendent were begun July 31, 1946. It is impossible to determine the outcomes of this dispute.  

The sixty-fifth annual convention of the American Federation of Labor meeting in Chicago in October, 1946, adopted a resolution and an emphatic statement urging higher salaries as the immediate answer to the teacher shortage crisis facing the nation. The convention also recommended a program of federal aid to education as the ultimate solution of the crisis now facing the public schools of the nation.

On December 7, 1946, the executive committee of the Kentucky State Federation of Teachers meeting at Eastern State Teachers College at Richmond,

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7Irvin H. Kuenzi, "Report to the Twenty-Ninth Annual Convention" (Chicago: American Federation of Teachers, 1946), p. 34.
8"Labor's Answer to the Teacher Shortage Problem" (Chicago: American Federation of Teachers, Pam., 1946).
Kentucky, adopted a resolution calling for this salary scale:

1. A minimum and maximum of $2,400 yearly for teachers with emergency certificates. An emergency certificate was defined as one which does not meet the minimum educational requirements for teachers established by the State.

2. A minimum of $2,400 annually and a maximum of $3,000 for teachers having completed two years of college work. The increases, the resolution set out, would be made on the basis of $100 yearly until the higher figure was reached.

3. Teachers having a bachelor of arts degree or its equivalent would receive a minimum of $3,000, with this amount increased by $100 annually until a maximum of $4,200 was attained.

4. Persons having a master of arts degree or its equivalent would be paid a minimum yearly salary of $4,200, to be increased to a maximum of $4,600.

5. Educators having doctor of philosophy degrees or degrees equivalent to a doctorate would receive a minimum of $3,600 and a maximum of $5,000, the State constitutional limit.

The salary schedule as adopted by the committee would, if approved by the Kentucky General Assembly, be applicable to all teachers in public-grade and high schools in the state. Cost of such increases would amount to approximately $10,000,000, it was estimated. With regard to salaries of instructors and professors in the state's colleges and universities, the group adopted this two-point plan:

1. The minimum salary paid to teachers in all institutions of higher learning should not be below that advocated for teachers in public schools, in comparable categories.

2. Salaries for full professors should exceed the $5,000 limit set by the State.

Other objectives set forth by the committee were to seek a revision of the state constitution and also support a federal aid program.

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10. Ibid.
The Executive Council of the American Federation of Teachers meeting at Chicago, December 26, 1946, urged its affiliated local organizations to work for legislation providing for a minimum annual salary of $2,500 for public school teachers. The council also urged that the size of classes be limited to twenty-five pupils. The council stated:

"We believe that every child in the nation is entitled to at least a $2,500 teacher, and every school room should be a living laboratory of the democratic process. Teachers cannot effectively teach democracy in a totalitarian atmosphere of political fear."

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CHAPTER VI

BRIEF SURVEY OF CITIES AND STATES POSsessing TEACHERS' UnIons

The influence exerted by teachers' unions varies to a great extent with the geographic sections of the United States. The larger cities have proved to be the strongest adherents to unionism. As a general rule the conservative South has been somewhat reluctant to accept teachers' unions, just as it has trade unionism. The purpose of this chapter is to enumerate cities and sections that have active unions, in so far as is possible; however, the national union is hesitant to give actual numbers of members in most local unions.

Eight thousand teachers, more than two-thirds of the entire teaching force, now belong to the Chicago Local Teachers' Union No. 1, an affiliate of the American Federation of Teachers. The union says that political appointees are not eligible for membership. This overwhelming group of Chicago teachers has been able to present a program of action for Chicago schools and has worked in apparent harmony with the Illinois Education Association, as well as with responsible civic agencies in Chicago. The Chicago local furnishes information to a wide list of organizations and in the community at large, by means of a weekly bulletin, a bi-monthly magazine, and a speakers' bureau. The union seeks negotiation with the administration on all matters of differences.²

On December 2, 1905, a large number of the Atlanta teachers met to discuss organizing an association to be composed of the teachers in the Atlanta public schools. The Atlanta Teachers Association did not consider itself a part of the Georgia Education Association or the National Education Association, but stood alone. This organization was not affiliated with labor, for, there being no national teachers' union, it was not eligible for membership in the local or

state labor bodies. By 1911, the Atlanta Federation of Trades was lending its aid to Atlanta teachers, and the Atlanta Public School Teachers Association was sending "fraternal" delegates to the meeting of that body. In June, 1919, the Atlanta Public School Teachers Association affiliated and was chartered as Local Union No. 89 of the American Federation of Teachers. The local union in Atlanta has concerned itself with such matters as salaries, sick leave, retirement, group health and accident insurance, hospitalization, group life insurance, and a credit union for teachers only.\(^2\)

The Indianapolis Teachers Union, Local No. 581 of the American Federation of Teachers, was organized in the summer of 1918. This union was formed to secure salary adjustments.

In order to comprehend the influence exerted by the American Federation of Teachers in the various states it is well to observe the number of charters granted to local unions during given fiscal years:\(^3\)

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>No. of New Local Unions Established</th>
</tr>
</thead>
<tbody>
<tr>
<td>1943-1944</td>
<td>32 local unions and one state federation chartered.</td>
</tr>
<tr>
<td>1944-1945</td>
<td>23 local unions chartered.</td>
</tr>
<tr>
<td>1945-1946</td>
<td>75 local unions and four state federations chartered.</td>
</tr>
</tbody>
</table>

American Federation of Teachers local unions formed during the fiscal year 1945-1946 by states, district, and territory can be summarized by the table below.\(^4\) This table does not seek to enumerate the membership of new local unions but rather shows the over-all formation of new chapters in the United States.

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\(^2\) Ibid., p. 4.

\(^3\) Irvin R. Kuenzi, "Report to the 29th Annual Convention of the American Federation of Teachers" (Chicago: American Federation of Teachers, Pam., 1944), p. 4.

\(^4\) Ibid., p. 4.
TABLE II
LOCAL UNIONS FORMED DURING FISCAL YEAR 1945-1946

<table>
<thead>
<tr>
<th>State</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Louisiana</td>
<td>16</td>
</tr>
<tr>
<td>Colorado</td>
<td>9</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>7</td>
</tr>
<tr>
<td>New Jersey</td>
<td>7</td>
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<tr>
<td>Michigan</td>
<td>5</td>
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<tr>
<td>New York</td>
<td>4</td>
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<tr>
<td>Ohio</td>
<td>3</td>
</tr>
<tr>
<td>Indiana</td>
<td>3</td>
</tr>
<tr>
<td>Illinois</td>
<td>3</td>
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<tr>
<td>Minnesota</td>
<td>3</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>2</td>
</tr>
<tr>
<td>Connecticut</td>
<td>2</td>
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<tr>
<td>California</td>
<td>2</td>
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<tr>
<td>Washington</td>
<td>2</td>
</tr>
<tr>
<td>West Virginia</td>
<td>1</td>
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<tr>
<td>Maine</td>
<td>1</td>
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<tr>
<td>Iowa</td>
<td>1</td>
</tr>
<tr>
<td>Nebraska</td>
<td>1</td>
</tr>
<tr>
<td>Florida</td>
<td>1</td>
</tr>
<tr>
<td>Alaska</td>
<td>1</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>1</td>
</tr>
</tbody>
</table>

Louisiana formed more teachers' unions during the fiscal year 1945-1946 than any other state, and it seems that an unsavory political situation is the direct cause of this unprecedented rise. The first new local union in Louisiana during this fiscal year was chartered in the St. Landrey Parish, December 16, 1945, with a membership of one hundred. Since that date fifteen additional local unions were chartered, and a state federation was organized, March 9, 1946. The Louisiana State Federation of Labor has raised five hundred dollars to assist in organizing teachers and has sought an equal sum from the American Federation of Labor to be used to employ a full-time field representative for a short time.  

Colorado became union-minded when salaries remained at perhaps the lowest level in that geographic section. Previous to March, 1946, there were only two local unions in Colorado, namely, Pueblo No. 567 and Denver Vocational No. 203. In March, 1946, the Denver Federation of Teachers was chartered by the American Federation of Teachers with a membership of more than 300. A local was established, May 11, 1946, at Colorado Springs. In May or June, 1946, locals were established at Fort Morgan, Holly, Boulder, Jefferson Parish, and Loveland. On May 5, 1946, the Colorado State Federation of Teachers was

5 Ibid., p. 5.
chartered by the American Federation of Teachers. Colorado now possesses ten locals and a state federation. 6

Pennsylvania, a state where trade unions have always flourished, saw decided increases in teachers' unions during the fiscal year 1945-1946. The local union at Bethlehem, No. 846, grew from nine members to sixty-four members within six months. A new vocational local union in Pittsburgh, No. 885, had a charter membership of fifty. The local at Lewistown was chartered with fifty-seven members. 7

Organization of teachers' unions was effected in the state of New York in the fiscal year 1945-1946 in Utica, Ithaca, and Syracuse, cities with populations of over 100,000. The fourth was in Mt. Vernon, a city of approximately 65,000. 8

New Jersey, with six new local teachers' unions, was the result of a determined membership drive on the part of the American Federation of Teachers. The Belleville, New Jersey, Local No. 881 had a charter membership of fifty. 9

During the fiscal year 1945-1946 three locals were chartered in Illinois by the American Federation of Teachers, namely at Decatur, Johnston City, and Kankakee. The field of unionization in Illinois is now restricted largely to smaller towns and rural districts, since locals have been chartered in all of the cities with over 25,000 population except three. The new local at Kankakee, Illinois, established May 9, 1946, was organized because of salary disputes. The teachers turned to the union when the coach's salary was increased from $1800 to $3000 per year. After establishment of the teachers'

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6 Ibid., p. 6.
7 Ibid., p. 7.
8 Ibid., p. 7.
9 Ibid., p. 7.
union with the aid of the central labor council, they negotiated salary increases for all classroom teachers. The local at Decatur, Illinois, No. 577, was likewise established April, 1946, as a result of salary disputes and possessed a membership of around one hundred when chartered.10

In Ohio, as in Illinois, locals have been established in nearly all of the larger cities and towns. The American Federation of Teachers chartered the following locals in Ohio during the fiscal year 1945-1946: Hubbard, Washington Township, and Canton. The union has now restricted its organizational activities in Ohio primarily to smaller towns and rural districts.11

In the state of Indiana three locals were chartered by the A. F. of T. during 1945-1946, namely, Evansville, Hammond Principals' Local, and Indiana University chartered in January, 1946. The Hammond Principals' Union was organized when Hammond Local No. 394 had helped secure salary increases for classroom teachers only.12

California has been a center in which the American Federation of Teachers has carried on an extensive membership drive. Los Angeles Local Union No. 430 doubled its membership during the 1945-1946 school year and is now around the 1000 mark. Other local unions in California reporting increases were Sacramento Local No. 31, Alameda County Local No. 771, Vallejo County Local No. 827, Roseville Local No. 836.13

In recent years Cleveland, Ohio, Local No. 279 and the Detroit, Michigan, local unions have been running a close race for the second largest local member-

ship in the American Federation of Teachers. Dissatisfaction with school conditions saw the establishment of Local Union No. 892 at Van Dyke, Michigan, with a charter membership of nearly 100.\(^\text{14}\)

The establishment of two new local unions in the state of Washington, during the school year 1945-1946, brought the total to thirteen local unions in that state affiliated with the American Federation of Teachers.\(^\text{15}\)

One of the most interesting developments during the school year 1945-1946 was the organization of the first American Federation of Teachers local in Alaska. During the month of March, 1946, twenty-seven of the thirty-one teachers in Ketchikan, Alaska, signed the application for a charter.\(^\text{16}\)

The American Federation of Teachers has reported substantial growth of local unions in many of the larger cities. In addition to the cities previously mentioned, the A. F. of T. has claimed gains of membership for the fiscal year 1945-1946 over the previous year, and these gains are displayed on a percentage basis in table III.\(^\text{17}\)

TABLE III

<table>
<thead>
<tr>
<th>PERCENTAGE OF MEMBERSHIP GAINS IN VARIOUS CITIES DURING FISCAL YEAR 1945-1946</th>
</tr>
</thead>
<tbody>
<tr>
<td>Philadelphia, Pennsylvania, Local Union No. 3 ---</td>
</tr>
<tr>
<td>Boston, Massachusetts, Public School Local Union No. 66 ---</td>
</tr>
<tr>
<td>Portland, Oregon, Local Union ---</td>
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<tr>
<td>Baltimore, Maryland, Local Union No. 340 ---</td>
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<tr>
<td>Newark, New Jersey, Local Union No. 261 ---</td>
</tr>
<tr>
<td>New Orleans, Louisiana, Local Union No. 527 ---</td>
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<tr>
<td>Birmingham, Alabama, Local Union No. 563 ---</td>
</tr>
<tr>
<td>Springfield, Illinois, Local Union ---</td>
</tr>
<tr>
<td>Peoria, Illinois, Local Union ---</td>
</tr>
<tr>
<td>Kansas City, Kansas, Local Union No. 600 ---</td>
</tr>
<tr>
<td>Jacksonville, Florida, Local Union No. 516 ---</td>
</tr>
<tr>
<td>Louisville, Kentucky, Local Union No. 672 ---</td>
</tr>
</tbody>
</table>

\(^{14}\text{ibid.}, p. 9.\)
\(^{15}\text{ibid.}, p. 9.\)
\(^{16}\text{ibid.}, p. 10.\)
\(^{17}\text{ibid.}, p. 11.\)
Teachers' unions have infiltrated into the college teaching profession. The American Federation of Teachers established a college local union at the University of Louisville, Louisville, Kentucky, upon application of twenty-five men and women professors, December 16, 1946. Members of the College Local at Eastern Kentucky State Teachers College, Richmond, Kentucky, were the first college group in Kentucky to form an alliance with the American Federation of Teachers.

The American Federation of Teachers maintains local unions in the following colleges and universities other than the ones previously mentioned:

Indiana University.
University of Washington Local Union No. 401.
University of Wisconsin Local Union No. 223.
Minnesota College Teachers Local Union No. 444.
Cornell University Local Union No. 606.
New York College Chapter of the Teachers Guild.

On July 13, 1946, a meeting was held at Louisville, Kentucky, for the purpose of organizing the Kentucky State Federation of Teachers. A functioning state organization was set up, and an intensive organizational program was launched. The Kentucky State Federation of Labor contributed $1,000 to the new federation in Kentucky for organizational purposes. A full-time field representative was employed for at least one year.

In Louisville, Kentucky, the local teachers union asked the mayor on December 31, 1946, to intercede with the board to show statistically why teachers could not get more than a ten-dollar increase per month out of funds the board of aldermen had allotted. The mayor expressed sympathy with their problems, but...

18 Park City Daily News, Bowling Green, Kentucky, December 17, 1946.
19 Irvin R. Kuenzi, "Report to the 29th Annual Convention of the American Federation of Teachers" (Chicago: American Federation of Teachers, Pam., 1944), p. 11.
20 Ibid.
voiced his uneasiness about the drive for fiscal independence for the schools. In this connection, the board of aldermen sets the school tax rate in Louisville, and the union has demanded that this function should rest with the board of education. The mayor was of the opinion that if this proposal were carried to the extreme, with the schools getting $1.50 per $100 valuation allowed under the law, instead of the present 90½ cents received, fiscal independence of the schools might ruin the operation of other city departments. This reasoning was based on the assumption that there would be a tendency to keep the total tax rate from going up very much, with the result that fewer tax cents might be appropriated for the regular agencies.

The union representatives complained to the mayor: "The superintendent receives us cordially and talks over our problems, but the board of education doesn't even answer our telegrams." The mayor refused to enter the controversy on this question because of the jurisdictional aspects of the dispute.

The American Federation of Teachers has claimed many outstanding accomplishments. In this connection it should be borne in mind that the total organization is comparatively small and has only forty to fifty thousand members at the most. Despite its size, it has shown a degree of aggressiveness not to be found in the traditional associations. Much of its success is due to the help and aid furnished by other labor organizations. The American Federation of Labor has long advocated the creation of local groups or committees for the purpose of studying the needs of the public school. These committees have sponsored and endorsed candidates for local boards of education with varying results. By no means have they been successful in all of their attempts in

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22 Ibid.
In this respect, but the board election in Louisville, Kentucky, during the fall of 1940 was one instance of partial success. It seems that the voters, in general, prefer to express their prerogative according to the dictates of good public policy rather than siding with any specific organization.

The American Federation of Teachers has claimed major credit for any achievements made for the betterment of the public schools. It is true they have supported tenure, salary schedules, retirements, and other programs of action, but it is also true that many civic and educational groups have jointly sponsored the same plans.

It is impossible to evaluate the direct effects and influences that the American Federation of Teachers has exerted, and, as Fordyce has so aptly said: 23

"The pressure exerted by organized labor for legislation has not always brought results. The defeat of their endorsed candidates and the slowness with which many of their proposed legislative measures have been adopted would indicate that the endorsement of organized labor does not always bring immediate results. For the historian to give all credit to the support of labor for the success of increased support for schools and teachers is to ignore the facts in the case."

The primary aim of this chapter is to present the opinions of educators and all other enlightened sources which tend to shed some light on teachers' unions. There is a pronounced scarcity of expert opinion on the subject; nevertheless, it is the intent to present available comments which are pertinent to both sides of the question.

The affirmative side has a decided advantage in expressing beliefs for unionization, and this in part can perhaps be attributed to the promotion or advertising program of the cause. Affirmative opinions will be presented first.

Theodore Roosevelt remarked: ¹

"If I were a factory employee, a workingman on the railroads, or a wage-earner of any sort, I would undoubtedly join the union of my trade. If I disapproved of its policy, I would join in order to fight that policy; if the union leaders were dishonest I would join in order to put them out. I believe in the union and I believe that all men who are benefited by the union are morally bound to help to the extent of their power in the common interests advanced by the union."

President Franklin D. Roosevelt said: ²

"Trade Unionism has helped to give everyone who toils the position of dignity which is his due."

John Dewey, for many years a member of the American Federation of Teachers, declares: ³

"If all teachers were within the teachers' unions and if they were not merely somewhat nominal members who try to keep their dues paid but active working members who came into contact with the labor unions, with the working men of the country.

¹ "If You Are in Doubt" (Chicago: American Federation of Teachers, Pam., 1917).
² Franklin D. Roosevelt, Labor Day Address, 1941.
³ "The Answer to the Chaos in Teachers' Organization" (Chicago: American Federation of Teachers, Pam., n. d.).
and their problems, I am sure that more would be done to
reform and improve our education, and to put into execution
the ideas and ideals written about and talked about by pro-
gressive educators and reformers than by any other cause
whatever, if not more than by all other causes together."

George S. Counts, noted educational philosopher, stated:4

"People join the American Federation of Teachers, as
they do other things, for different reasons. In my own case
there seem to have been two major considerations.

"First, organized working people have always been the
staunchest and most dependable friends of public education
in the United States. In the great battles for free schools
a hundred years ago, the early working-men's associations
played a central role. The record of the American Federation
of Labor, since its founding in 1881, in support of the public
schools is incomparable more enlightened and consistent than
that of any other important organization of educational lay-
men. Indeed, in some respects this organization of laboring
men and women has shown far more understanding and vision than
the teachers. At its recent convention in Seattle, it con-
tinued the magnificent record of the past.

"Second, organized labor, more than any other element in
the population, is carrying on the old struggle for human free-
dom. The future of American democracy may well rest on the in-
telligence, the strength, the courage of organized labor. In
the time of Jefferson and Jackson, the struggle for liberty took
the form of a struggle for political rights; today it takes the
form of a struggle for economic rights—for the right to work,
for the right to material security, for the right to a fair share
of the income of the nation. Whether our democracy is to live
or die depends on the outcome of this struggle. While in many
particular instances organized labor may be wrong, in general
it is profoundly right. Organized labor is the common man grown
articulate; the common man is the only trustworthy guardian of
democracy.

"To put the whole matter in a word, I joined the American
Federation of Teachers because I became convinced long ago that
organized labor believes in and is fighting for the things which
I believe in and am fighting for. And because I know that in
union there is strength."

4 George S. Counts, "Why I Joined" (Chicago: American Federation of
Teachers, Pam., n. d.).
Dr. John Studebaker, United States Commissioner of Education, stated in 1942:

"No one who is interested in public education in our land can read these (A. F. of L.) convention reports without becoming aware of how vital a part of labor's program is the subject of education, and particularly public education. Indeed, it has been my conviction, which has been strengthened over the years, that no lay group in society has more consistently supported the extension and development of our system of public education in America than have the forces of organized labor."

Dr. John L. Childs, professor of philosophy of education at Columbia University, stated recently:

"By democratic society is meant a society deliberately designed to respect and to promote the welfare of the 'common man.' By common man is meant all of the men and women who do useful work. The fate of teachers as individuals and the fate of education as a public undertaking are both bound in with the success of this democratic workers' effort. I believe that teachers will be much more effective as educators and as citizens if they are active participants in this movement. It is for this reason that my first loyalty in the realm of professional educational organizations is given to the American Federation of Teachers."

Dr. L. A. Cross, a teacher for fifty years, summed up unionization as follows:

"The professions of engineers, dentists, lawyers, and physicians are all organized into their respective trade-unions. They are: The American Society of Engineers, The American Dental Association, The American Medical Association, The American Bar Association. These, in a way, set the standards, and the standards of remuneration for services.

"I propose, now, to add to this list the American Teachers' Association to serve the same purposes as those of the other recognized professional unions. First, I would have the association set up standards of educational preparation and fitness (including personality) for membership. I would classify members into

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5. The Answer to the Chaos in Teachers' Organizations," op. cit.
6. Ibid.
Apprentices, Journeymen, and Master Teachers. Next I would set up standard minimum salaries per year for each of these three classifications. Instead of trying to compel a community to employ only union teachers, I would try to make the surrounding schools employing union teachers so good that the public in a given community would demand and get union teachers.

"I am no longer teaching. I have no personal profit-interest in teachers' unions; but at last I have made a right-about-face. I favor organizing the capable, professional teachers into an effective union to better themselves and improve the quality of teaching, to make communities pay for what they get, and get a lot more out of their schools than they are now getting. And I think the time for it is now."

Irvin R. Kuenzi, secretary-treasurer of the American Federation of Teachers, says:2

"One of the strangest paradoxes of modern education is the fact that many school administrators declare that teachers should not associate with plumbers and bricklayers and at the same time demand that teachers join and support the PTA, which—like the unions—consists of the parents of children in the schools. It is also a strange paradox that many of the very superintendents who advocate strict social neutrality on the part of classroom teachers are themselves affiliated with the Chamber of Commerce, which is devoted to protecting the economic interests of a small privileged section of society and which traditionally has opposed adequate school finance and improvement of public education."

Kermit Aby, of the education department of the Committee of Industrial Organization, sums up his belief in unionization by saying:9

"We need unions, then, to give teachers the courage and strength to meet the administrators as equals, and to free teachers from the inferiority feelings which now prevail among them. The teachers of America must be convinced first that teaching is an art, and second that competent teaching deserves adequate income."

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2 "Should Teachers be Neutral?" American Teacher, XXVIII (March, 1944), 10-11.
9 Kermit Aby, "Teachers Unions? Yes!" Progressive Education, XX (October, 1943), 262.
Editorial comment entitled "Teacher Joins The Union" and appearing in a Kansas City, Missouri, newspaper said in part:10

"Why shouldn't Kansas City teachers join a union if they want to?"

"This is an age of organization. Everybody is organized—from Stevedores to millionaire manufacturers. There are taxpayers' organizations for holding down school costs, including teachers' salaries. There are a thousand and one pressure organizations working for bigger slices of state revenue for this cause or that. Unless the teachers organize in self-protection, they will find themselves jostled to the end of the line."

An editorial in the Post-Intelligencer gave tacit approval as follows:11

"In his recent message to the American Federation of Teachers, President Roosevelt showed his concern over the question stating: 'Children must not be allowed to pay the cost of this war in neglect or serious loss of educational opportunity.'"

"In the same message, the President paid a deserved tribute to the educational profession for the essential work that it does in both war and peace. His words were: 'Teachers as a group are performing a great service to their country.' "America can only benefit by hearing and heeding these warnings. The dictum of the American Federation of Labor toward education should be the policy of the country----'education is the first line of national defense and as such should be extended rather than curtailed.'"

Many authorities have concluded that teachers' unions do not represent the true interest and spirit of the teaching profession. There are eminent educators that are firmly convinced that membership in teachers' unions is undemocratic and tends to swing to a totalitarian system of education. Authorities who have taken a negative position on unionization have done so with varied logical reasoning. It is interesting to note the soundness of the arguments advanced in opposition to teachers' unions.

10 Kansas City Journal, Kansas City, Missouri, Editorial Page, February 6, 1942.
William Heard Kilpatrick, professor emeritus, Teachers College, Columbia University, says:12

"It is at this point that we reach the crux of our problem. The proper place of 'labor' within our industrial society is today highly controversial and promises so to remain for some time to come. Under these conditions any teacher dealing with the labor problem is under special obligation to avoid partisanship, in particular to avoid any such partisanship as would make any appreciable part of his class question the fair-mindedness of his guidance in the study of the controversial problem.

"but suppose this teacher in company with other teachers has already by explicitly professional organization aligned himself on the side of labor. Has he not thereby so committed himself in advance to one side of this controversial area as to make it difficult for either side among his pupils to accept his full impartiality? Will not the labor pupils expect him to side with them, at least inwardly if not openly? And will not the anti-labor pupils similarly expect him to side against them, at least inwardly if not openly? Under such conditions how can he hope to steer the boy or girl who comes from a strong anti-labor home to an honest facing on their real merit of the hard and unpleasing facts of the ill treatment of labor. If he try, will they not by his very effort be the further convinced of his unfair commitment? Has he not in fact by his act of affiliation exactly loaded the dice against his success at teaching?

"In conclusion, I seem forced to believe that, pupils' prejudices being what they are, teachers' affiliation with organized labor tends in significant degree to hurt the teachers' proper work. Because I believe these things, I take the negative side of this question."12

Caroline Bengtson, a contributor to School and Society magazine, opposes teachers' unions on the following grounds:13

"Successful labor union leaders, who agitate for strikes, who enjoy fine cars and who dictate to lovely stenographers, are frequently dictators over considerable groups of working people. Mild Socialism evolved into cruel Nazism and into the tyrannical Communism which is destroying civilization, and


13Caroline Bengtson, "Chicago and Teacher Unionization," School and Society, LII (November 23, 1940), 520-529.
which has limited production in Russia to such an extent that the nation is a land of poverty and inefficiency. Teachers' unions have flirted with Communists.

"Teachers are aware that organization is worth while, but they also realize that the AFT has put its emphasis on materialism as the American Federation of Teachers has grown in numbers. Both have contributed to the sinful love of money which dominates the American scene at the present time."

C. Curien Smith, of New York State College for Teachers, has given some study to teachers' unions and is opposed to them because:14

"The public-school teacher who joins the American Federation of Teachers, and who at the same time wishes to maintain a state of mental equilibrium, is faced with the problem of resolving a number of ideational conflicts.

"1. The public-school teacher is the representative of the people at large and his salary is derived from the public till. In joining the American Federation of Teachers the teacher allies himself definitely with a particular group of the population that frankly admits that it has an issue to settle with another group of the population. Apparently, the fact is ignored that the group being fought is placed in the ridiculous position of having to help pay the salaries of teachers whose vested interests militate against a fair and rational consideration of the just deserts of all groups represented.

"2. One of the fundamental tenets of American democracy is its faith in the efficacy of education as the most valid means of bringing about desirable change. Supposedly, the American teacher, private or public, accepts this faith and vows to uphold it. In joining the American Federation of Teachers, such faith is disavowed in favor of a method of militancy and force. That the Federation has extended militant methods to the teaching profession is indicated by the use of the strike in Walker County, Alabama, and the use of the picket in the Jerome Davis case."

Gordon Hullfish of Ohio State University was once affiliated with the American Federation of Teachers but withdrew his membership because:15

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"Teachers' Unions are affiliated with labor and the school is conducted by citizens, for potential citizens, in the interest of citizens."

Public reaction to teachers' unions has gained very little attention in the United States as a whole. Direct opposition to unions in rural areas is the general rule, whereas urban centers are more inclined to accept and favor unionization. It is undoubtedly true that teachers in some rural sections occupy a degree of dignity and respect which oftentimes is not accorded teachers in urban areas.

Public opinion is closely divided on the question whether teachers should join unions. About as many oppose it as favor it. A national public opinion poll published, December 25, 1946, revealed the following sentiment: 16

"Do you think school teachers should form unions?"

Yes---------------43%  
No-----------------40%  
No opinion--------17%

The survey further revealed:

"Those favoring unions for teachers say, 'It's the only way the teachers can get a living wage----They're the poorest paid of all professions----everyone else is organized, why not teachers?'

Those opposing unions for teachers say: 17

"People in public service shouldn't join unions----There are too many unions now----Teachers shouldn't get mixed up in union politics and arguments; unions are below their dignity."

The public opinion poll further declared: 18

"The voters placed teachers second only to doctors as deserving to earn the most money."

17 Ibid.
13 Ibid.
In Louisville, Kentucky, where teachers' unions have become rather active, a newspaper reporter disclosed the following public reaction:¹⁹

- For teachers' unions: 6
- Against teachers' unions: 10
- No opinion: 3

Teachers' unions have risen to the stature of influence in our educational system largely because a sound and logical procedure of administration has not been utilized. This militant force has literally grabbed at any opportunity of publicizing teacher dismissals with the primary objective of making its organization appear to be the only aggressive combatant for justice.

Those who have observed the dismissals of teachers by school authorities in various sections of the country must have noted the complications and embarrassments which in recent years have followed official action. Where a board of education has dismissed a superintendent, a principal, or a teacher, such dismissal usually has been followed by an appeal to the higher state authorities or to a court of law.

The number of troublesome dismissal cases, particularly in the Middle West, is quite substantial and would prompt an inquiry as to the causes for so much resentment against board decisions. While a goodly proportion of appeals is denied by state authorities and the courts, the reversals suffered by the boards have been rather impressive. They indicate that individual board members have been guilty of either; (1) general ignorance or disregard of the law governing the employment and tenure of teacher; (2) prejudice expressed in a way that legally unfitted the board to try to dismiss the individual

teacher; (3) failure to act in an orderly manner as prescribed by law; or (4) very rarely direct injustice due to politics, nepotism, or personal prejudice.

Much of the litigation could be obviated if the approach to a justified dismissal were made with proper circumspection and caution. School authorities should be reasonably well informed as to the laws governing the employment and dismissal of their employees. If the teachers cannot afford to employ legal advice, there is always recourse to the higher state school authorities for guidance.

Under existing laws the attitudes of school boards toward teachers must be changed radically. School boards at no time in our national history have been the employers of teachers in the sense that private individuals are employers of labor. School boards are the representatives of the community, and their relations to the supervisory and teaching staffs are entirely those of trustees acting under the laws which give them authority. In a sense they are co-workers with the teachers, and only in a distinctly limited way are they the bosses of the instructional forces. As individuals they have no direct legal authority, and it is for this reason that they must assume a fair, judicial attitude at all times, must guard themselves against all expressions and acts which are not within their legal rights, and must meticulously observe the legal processes set up for the employment, the control, and, where unavoidable, the dismissal of teachers.

A rating program of teachers has been used and advocated by various school authorities in many localities and particularly Chicago. This has resulted in a veritable blast of disapproval by the American Federation of Teachers. It appears that the proposal of rating teachers and paying them accordingly possesses many objectional administrative practices. Naturally a major evil of
this practice lies with the impartiality of the superintendent or officials doing the rating.

In the state of Delaware a law has been enacted providing for a statewide rating system upon which salaries must be based. The Wilmington Teachers' Union circumvented the law in that particular city by getting the Board of Education to rate all of the teachers as superior.\(^\text{20}\)

The American Federation of Teachers has responded to the rating of classroom teachers by devising a system for evaluating school administration. An evaluation sheet which is made available to the American Federation of Teacher locals throughout the nation enables teachers to state their views on three general subjects:\(^\text{21}\)

"1. The academic qualifications and experience of an administrator.
2. His relation with the teaching force.
3. His community relations."

The American Federation of Teachers lists the following questions for evaluating an administrator:\(^\text{22}\)

"Does he follow democratic procedures?
Does he use pressure to compel teachers to join specific organizations?
Is he definite and not haphazard in laying down plans and procedures?
Does he recognize effective work by promotion of the individual and by favorable comment?
Has he ever, directly or indirectly, opposed the organization of teachers in the labor movement?
Is he interested in the extension of educational opportunities?
Does he exercise leadership in obtaining adequate school finances?"


\(^{22}\)Ibid., p. 25.
A faulty system or a good system badly used may become the very opposite of the merit system. As to the advisability of using a rating system for classroom teachers, it seems that if such a system were employed, then it should be reciprocated by the use of a similar system in the realm of supervision and administration. Authorities are in complete disagreement as to the advantage of a rating system, and it may be that the measurement of the efficiency of the administrator and the teacher should not be practiced.

In terms of administrative procedure the causes of teachers' strikes can be summarized under the following four heads:

1. Local dissatisfaction with the policies of the schools.
2. Unfair administrative practices of the board or its administrator.
3. Poor teacher-administrator relations brought on by the superintendent's inexperience or ineptitude at making pleasant contacts.
4. Agitators outside the school who are making the trouble.

Many expedients and remedies may prove effective in the obstruction of the strike. The following is a partial list:

1. Act promptly when strike talk starts. The board president and the superintendent should take immediate steps to meet and adjust the complaints of the teachers.
2. Arrange a hearing of representative strikers before your board and at the hearing see that the teachers are treated with respect regardless of the triviality of their demands or complaints.
3. Establish some system of representative assembly, with the teachers electing representatives to the central organization. Such a group permits the teachers to express themselves on actual or fancied grievances.

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4. Facilitate bargaining through a responsible majority group of teachers and expect that group to carry out its agreements in good faith.

5. Establish the legality of such a strike by an opinion from the legal authority of the state, or the state department of education.

The teachers' unions insist on their rights as the bargaining agency for members wherever it has a majority of the teachers. While the Wagner Act does not apply to teachers, it is the unions' position that regular meetings should be held between the union and the superintendent, the legal head of the school system. Their objectives is not to limit negotiations only to hours, wages, and working conditions, but to embrace all matters of educational policy and should be agreed upon by representatives of the teachers and the superintendent or his representative. For example, teachers feel that educational innovations are put into operation before the teachers understand them and without their consent. Consequently, the best results are not attained. Here, it seems, is the greatest single opportunity for an advance in school administration and, incidentally, one which all teacher-unionists will insist on, namely, regular meetings with the administration on all matters which affect educational policy. Teachers' unions believe that responsibility for a successful school system rests as much on teachers as on administrators.24

Some teacher-unionists have advanced the belief that every school administrator should be required to teach a class. It is contended that in the larger school systems, where the administrator is removed both physically and spiritually from classroom work, he cannot appreciate the contrast between theory and practice. In this connection, the belief is held that the admin-

istrator-teacher should be required to use what his curriculum department turns out by way of course outlines and what his test-and-measurement experts turn out by way of tests. 25

Teacher-unionists maintain that their representatives should be present at board of education meetings, particularly when matters under discussion affect teacher welfare. One such case has been reported in Maywood, Illinois, where representatives of the Proviso High School Union regularly attend the board meetings. 26

Whether the superintendent and the board of education choose to accept, reject, or ignore teachers' unions, must ultimately rest on individual discretion. To accept the unions ordinarily gives added strength, and to reject them brings on turmoil in urban centers. Perhaps, if these problems cannot be solved by mutual consent, it may be necessary to introduce and pass state labor relations acts covering teachers as well as other labor groups which do not come under the federal law.

25 Ibid., p. 20.
26 Ibid., p. 21.
This study has attempted to portray the status of teachers' unions in the educational structure of the United States. The progressive growth of trade unionism has encroached upon the field of education bringing with it all of the known devices employed by that movement. Teachers' unions have grown in stature since their official organization in 1916, a fact due, in part, to the passiveness of public school administrators.

The legal status of teachers' unions irrespective of various court decisions and opinions must ultimately be decided by state-wide legislation. Wherever trade unionism wields an active and strong membership that segment of society is likewise receptive to teachers' unions.

The objectives of teachers' unions are very similar to the objectives embraced by traditional educational organizations. The marked difference is that unions are willing to aggressively contend for their aims whereas the traditional organizations are usually content to passively resolve a change.

As a general rule, teachers in the large cities and particularly in the industrial sections of the United States have overwhelmingly left the ranks of traditional organizations to affiliate with teachers' unions. The American Federation of Teachers claims that Indiana, Illinois, and Ohio are so adequately unionized that there is now little progress remaining to be made. Disputes of various kinds in the state of Kentucky have given added impetus to unionization. This situation is becoming more apparent or observable with the increasing rumblings of discontent in the newspapers of the state and also among the unionized teachers in Louisville.

As a rule educators have long shown a desire to remain aloof from any
organization that might detract from the teaching profession. However, with the encouragement of outstanding advocates for teachers' unions such as Dewey, Counts, Childs, and Cross, added strength has been gained by the adherents of a unionized philosophy.

School administrators must revise antiquated procedure in order to cope with teachers' unions. Disrespect for tenure laws, inequitable salary schedules, unjust dismissal of teachers, have proved to be costly errors resulting in increased union membership. The following is a partial list of expediencies and remedies which may prove effective in the obstruction of the strike:

1. Act promptly when strike talk starts. The board president and superintendent should take immediate steps to meet and adjust the complaints of the teachers.

2. Arrange a hearing of representative strikers before your board and at the hearing see that the teachers are treated with respect regardless of the triviality of their demands or complaints.

3. Establish some system of representative assembly, with the teachers electing representatives to the central organization. Such a group permits the teachers to express themselves on actual or fancied grievances.

4. Facilitate bargaining through a responsible majority group of teachers and expect that group to carry out its agreements in good faith.

5. Establish the legality of such a strike by an opinion from the legal authority of the state, or the state department of education.

The ethical question of teachers aligning with teachers' unions does not come within the bounds of this study. It seems that this question must be settled by the individual teacher only after thorough and mature thought. Public education is for the benefit of the entire citizenry of the United States, and no force, organization, or union, should abridge or jeopardize that benefit to gain the selfish interest of a minority group.
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