

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DIVISION  
OF THE WESTERN DISTRICT MISSOURI.

DONNELLY GARMENT COMPANY, a corporation, and DONNELLY GARMENT SALES  
COMPANY, a corporation... Plaintiffs,

v.

INTERNATIONAL LADIES' GARMENT WORKERS' UNION, et al, Defendants.

(COPY)

No. 2924.

STATE OF NEW YORK CITY OF NEW YORK COUNTY OF NEW YORK

SS

FEDERICK F. UMHEY, being duly sworn deposes and says:

I am the Executive Secretary of the International Ladies'  
Garment Workers' Union and since occupied that position since February, 1934.

The said International Ladies' Garment Workers' Union is a national labor organization and is composed of upwards of 250,000 workers engaged in all branches of the women's wear industry. It was organized in the year 1900 and became affiliated with the American Federation of Labor in June of that year. It is the only national or international labor union which has been granted jurisdiction by the said American Federation of Labor over the workers engaged in the production of ladies' garments.

The workers in every separate craft and locality constitute a local union which is designated by a number to distinguish it from other local unions. There are approximately 250 of such local unions chartered by and affiliated with the International Ladies' Garment Workers' Union at the present time. They are located in all the principal cities of the United States and Canada as well as Puerto Rico, in which ladies' garments are produced. In the State of Missouri, there are nineteen (19) of such local unions with a total membership of approximately ~~4500~~ 8000; 8 of these local unions are located in Kansas City, 9 in St. Louis, 1 in Richmond and 1 in Lexington.

The large cities, in which there are several local unions, they form joint boards which are delegate local bodies composed of representatives of all such local unions for the purpose of conducting membership drives, collectively bargaining with employers and transacting business of common interest to all the affiliated local unions, such joint

boards exist in Kansas City and in St. Louis.

The conditions of the workers in the garment industries in former years have been notoriously scandalous. They worked hours without number for starvation wages in unsanitary shops and under the most miserable conditions. An appallingly large percentage of them were victims of occupational diseases, particularly tuberculosis. The system of work prevailing in the industry became notorious as the sweatshop system.

In recent years substantial improvements have been brought about in the working conditions in the needle trade, some of them by remedial legislative enactments, some through codes established under the National Industrial Recovery Act, but most of them through the efforts of the workers themselves, organized as the International Ladies' Garment Workers' Union.

The improvements brought about in the working conditions and standards of life in our industry have been largely effected by means of collective agreements with individual employers and associations of employers.

The International Ladies' Garment Workers' Union was the pioneer in the field of collective bargaining between workers and employers. The first of such collective agreements was made in the cloak and suit industry in the city of New York in September, 1910, after a long and embittered strike which had engaged the attention and enlisted the interest of a number of prominent public-minded men. The "Protocol of Peace," which was finally adopted in settlement of such strike, was devised principally by the Hon. Louis D. Brandeis, now an Associate Justice of the Supreme Court of the United States. It was drafted with the intention of obviating strikes, lockouts and other industrial conflicts for all time to come and was designed to put the sweatshop out of existence forever.

During the intervening period of twenty-seven (27) years, the collective agreements have been continuously maintained between the Union and the association of employers in the cloak and suit industry in the city of New York and with each successive renewal of the agreements, additional improvements in the working conditions have been obtained. The work hours alone during that period have been reduced from fifty (50) and a six (6) day week in the 1910 agreement to thirty-five (35) hours and a five (5) day week under the present agreement, which provides for a further reduction to thirty-two and a half (32

1/2) hours to become effective June, 1939. The wages of cutters have been raised from \$25 in 1910 to \$55 under the current agreement. Similar improvements have been obtained for all the other crafts in the industry.

At the present time, the International Ladies' Garment Workers Union has collective agreements with fifty-five (55) representative associations of employers, establishing the working conditions of its members in all the principal cities of the United States and Canada.

The following is a complete list of the associations with which agreements have been made, showing the cities affected thereby:

Atlanta Ga.	Association Garment Manufactures of Atlanta
Boston, Mass.	Associated Dress Manufacturers of Boston Boston Cloak & Suit Manufacturers Association New England Rainwear Manufacturers Association.
Chicago, Ill.	Embroidery Manufacturers Association of Chicago. Chicago Association of Press Manufacturers Chicago Cloak & Suit Manufacturers' Industrial Council
Cleveland, Ohio	Cleveland Dress Manufacturers' Association, Inc Ohio Apparel Manufacturers Association Association of Embroidery, Pleating, Stitching & Allied Industries.
Los Angeles, Calif.	Silk & Wool Dress Association Los Angeles Coat & Suit Manufactures Association.
Montreal, Canada	The Montreal Dress Manufacturers' Guild The Association of Manufacturers of Cloask, Suits and Ladies' Garments
Newark, N.J.	New Jersey Washable Dress Contractors Association.

Affiliated Dress Manufacturers, Inc.  
Allied Underwear Manufacturers Association  
American Cloak & Suit Manufacturers Association, Inc.  
Associated Corset & Brassiere Manufacturers  
Associated Manufacturers of Tubular Pipings and Trimmings, Inc.  
The Belt Association, Inc.  
Children's Dress, Cotton Dress & Sportswear Contractors Association  
Clothing Merchants Association, Women's Apparel Division.  
Covered Button & Buckle Creators, Inc.  
East Broadway Merchants Association  
Embroidery Manufacturers Association  
New York, N.Y. Greater Blouse Contractors Association, Inc.  
Industrial Council of Cloak, Suit & Skirt Manufacturers, Inc.  
Lingerie Manufacturers Association  
Merchants Ladies' Garment Association  
National Association of Blouse & Skirt Manufacturers, Inc.  
National Dress Manufacturers Association  
National Scarf & Ladies Neckwear Association  
National Skirt Manufacturers Association  
Negligee Manufacturers Association  
Pleaters & Stitchers Association  
Popular Priced Dress Manufacturers Association  
United Association of Dress Manufacturers  
The United Belt Association  
United Infants and Children's Coat Association  
United Underwear Contractors Association  
Brooklyn & New York Truck Owners Association  
Garment Center Truck Owners Association  
Affiliated Dress Carriers Association  
Plastic Products Manufacturers Association

Philadelphia, Pa.	Philadelphia Waist & Dress Manufacturers' Association Pleaters, Stitchers & Embroiderers Association.
San Francisco, Calif.	Associated Cloak & Suit Manufacturers of San Francisco, Calif. Silk & Wool Dress Manufacturers- Association.
Seattle, Wash.	Seattle Textile Manufacturers Association Associated Cloak & Suit Manufacturers of Seattle
St. Louis, Mo.	Associated Garment Industries of St. Louis
Winnipeg, Candad.	Winnipeg Ladies' Garment Manufacturers' Association.
Toronto, Canada	Toronto Cloak Manufaturers' Association Association of Cloak & Suit Contractors

In addition to the association agreements above referred to, our Union has subsisting agreements with thousands of independent employers throughout the country, who are not members of associations in their respective Industries.

None of the e agreements were obtained without a bitter struggle on the part of the workers. In almost every instance, their first efforts to organize themselves and to collectively bargain and deal with their employers, were met with vigorous opposition on the part of employers, who resorted to every known means of frustrating their efforts to build a union. After their first fight for recognition as a union had been won, the securing of renewals of the agreement and further improvements in the wages, work-hours and other conditions in the shops became a very gradual and slow process.

The efforts to organize garment workers has not been confined to any one section of the country, but hat been widespread and has included every market in which ladies' garments are produced. An examination of the above list of association agreements discloses that all the large cities of the United States and Canada are included therein. There are, of course, many other garment factories located in small towns and hamlets in and around such principal areas of production and it is with these firms that most of the independent agreements have been made by the Union.

While a decade ago the firms in the outlying regions could not have competed with those situated in the main garment producing areas, the tremendous development of transportation facilities in recent years has made it possible for those firms situated even

in the remote areas the country to obtain raw materials and to ship orders expeditiously and thus to compete with those firms located at the main centers of production. This situation has necessarily had its effect upon the wages and working conditions prevailing in the larger areas. A firm located in a distant mid-western community, which has an opportunity to obtain a cheap labor supply can do untold harm to the wage standards and working conditions which the workers in other markets have succeeded through years of struggle in establishing, because both firms must compete with each other in selling their products to the same retailer, Naturally, the one who has the cheaper labor coat can undersell his competitor who has established fair working conditions and standards and it is only a matter of time before the unfair competition of the former will drive the latter out of business. The ILGWU therefore recognizes that it is its function and duty to bring about unionization and improvement of wages, hours and conditions of workers in all parts of the United States and Canada, not only for the benefits which such improvements will bring to the workers directly effected thereby, but also to safeguard and maintain the improvements which have already been won by those workers in the organized markets.

Sworn to before me this 4th day of October, 1937

Siemon L. Hamburger

Notary Public, Bronx Co. 17, Reg. No. 38H39 Cert, filed in N.Y.Co. Ho. 303, Reg. No. 9H253 Commission expires March 30, 1939.

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AFFIDAVIT OF FREDERICK F. UMHEY (COPY)

FRANK P. WALSH JEROME WALSH

ATTORNEYS FOR DEFENDANTS