

AFFIDAVIT OF MEYER PERLSTEIN

STATE OF MISSOURI

ss.

(COPY)

COUNTY OF JACKSON

MEYER PERLSTEIN, being duly sworn upon his oath, deposes and says:

I am 53 years of age, a citizen of the United States and I reside at 2502 Barnes Avenue, New York City.

I am the Regional Director of the Southwestern Region of the International Ladies' Garment Workers Union. My headquarters are at 624 North 9th Street, St. Louis, Missouri.

The International Ladies' Garment Workers Union is a national labor organization and is composed of 260,000 workers employed in the ladies' garment industry throughout the United States and Canada. I joined the International Ladies' Garment Workers Union in the year 1909. At the time I joined this organization, I was a practical garment worker employed as an operator on women's coats and suits. I learned my trade in London, England, and at the time I joined the organization I had been earning my living in the garment industry for eight or nine years. In 1911, I was elected Secretary of the New York Joint Board which is the executive body of all the garment workers' locals in New York. In 1915, I was elected as an organizer by the president of the International Ladies' Garment Workers Union, Benjamin Schlesinger, now deceased. In 1916, I was elected as a vice-president of the International Ladies' Garment Workers Union at the National Convention of the organization held that year. As vice-president, I was elected as the manager of the Cleveland unions of the International Ladies' Garment Workers Union. I held that office until 1925, when I resigned.

I returned in 1934 and I was appointed as Regional Director for the Southwestern Region of the Union and I have held that position since that time and still hold it. The Southwestern Region embraces the states of Missouri, Texas, Tennessee, Maryland and southern Illinois. My primary duty as Regional Director is to interpret to the different locals in this region the union constitution and to negotiate labor agreements for the workers in this industry that are employed by the manufacturers in this region. There are

between twelve and fifteen thousand workers employed in this region. The agreements we have consist of collective agreements with groups of organized manufacturers as, for instance, the Associated Garment Industries, Inc. of St. Louis, the Kansas City Coat and Suit Manufacturers Association and approximately fifty to sixty individual manufacturers. Some of them are the largest in the country as, for instance, Ely-Walker Dry Goods Company of St. Louis, Rice-Stix Dry Goods Company of St. Louis, the Boulevard Frocks of Minneapolis, Kearns Brothers of Pinkneyville, Illinois, and many other manufacturers, large and small, throughout this region, including Stern-Slegman-Prins Company and the Gernes Garment Company of Kansas City, Missouri. There are 19 local unions in the State of Missouri with a total membership of approximately 8000 workers. There are 7 local unions in Kansas City, Missouri, with a total membership of approximately 2000 workers, and 10 locals in St. Louis with a membership of approximately 5500. There is one local union in Richmond, Missouri, with a membership of approximately 75 workers and one local in Lexington Missouri, with a membership of approximately 175.

The different crafts local unions in each city of the different branches of the industry are organised in Joint Boards through a system of equal representation. Each Joint Board is the body that has the right to enter into agreements with employers They also name the officers to represent all the affiliated local unions in their relations with employers. It is the duty of the Joint Board to see to it that affiliated locals should have equal work scales and terms of employment wherever possible and also administer the agreements with employers on a basis whereby the skill and efficiency of each branch of the industry be recognised. They are also authorised to conduct drives for membership in their particular industry and acquaint non-union workers with the advantages that the organisation has to offer them in the field of collective bargaining with employers, the maintenance of decent hours, decent wages, and conditions of employment, and the stabilization of the industry in the locality. It is also the duty of these Joint Boards to conduct educational activities to acquaint members and develop their knowledge in history, literature, music, art, and the general advancement of their craft in efficiency and other lines of progress.

In the City of St. Louis there are two Joint Boards, one that consists of the workers

employed in the women's coats and silk and wool dress industry, and the other Joint Board which consists of workers employed in the cotton dress and underwear industries.

To illustrate conditions prior to the organization of the union, I will recite my own experience which applies to the hundreds of thousands of workers who today receive the benefits of the organization which I represent.

Prior to my joining the union, my working hours began at 7 o'clock in the morning and ended at 10 o'clock at night, with a half hour interval for lunch. That was for 5 days a week. Saturday and Sunday, the hours began at 7 o'clock in the morning and ended at 5 o'clock in the afternoon. Each operator, including myself, had to purchase their own sewing machines and we used to buy them from the Singer Machine Company by the payment of a dollar a week; and when an operator changed employment he was compelled to carry his own sewing machine with him. Operators also had to pay for the electricity consumed, broken needles, cotton thread and many other items that composed the making of a garment. So far as shop conditions were concerned at that time, most of the shops were cleaned once a month, the windows were cleaned possibly once in six months and the toilet facilities were of the crudest character, men and women using the same toilet rooms. The ventilation was very poor because most of the windows could not be opened and the health of the workers was very bad. Tuberculosis was the prevalent sickness among the majority of the workers. The average earnings for the majority of the skilled workers were between five and six dollars per week, and out of this amount we had to pay weekly for all the facilities and sewing machines. Living conditions were notoriously bad. For instance, in the five floor walk-up old type tenements in New York, the apartments consisted of three or four rooms often housing four or five families. I, personally, lived in a kitchen with a few others, for which I paid \$2.00 per week, on the fifth floor of a tenement house where the toilet facilities were in the basement. The heating facilities in these houses consisted of an ordinary coal stove and coal had to be brought up to the fifth floor every time we wanted to warm up the place a little bit. The conditions here described were general in the cities of New York and Chicago among the workers in the garment industry.

In order to get even small improvements, the workers began to think of organization

for the reason that when they talked to their employers as individuals they were generally told that they were not entitled to anything more and that the trade could not afford to pay them any more. I once tried to argue with an employer that the long hours didn't give me sufficient income for my food, much less the other necessities of life and my employer told me that in his opinion I was too radical and the best thing for me to do was to go and look for another job. I was then fired and it took me months before I secured another job.

In 1909, myself and the other workers in the same shop where I worked, decided to form a union and demand from the employer an improvement of the conditions under which we were working. At first the employer refused to listen to us and threatened that if we continued with our union not only would we be fired from his shop but we would be black-listed throughout the industry and there would be no chance for any of us to get employment elsewhere. We were compelled to go out on a strike and, after a period of three weeks, the strike was settled and the workers secured a 10 percent increase in wages and a concession that we would only work on Saturdays and Sundays until one o'clock instead of 5 o'clock. The agreement, which was signed for a year, ended in three months when our employer advised us that under the conditions he could not continue the increase of 10 per cent and shortening of the hours and meet competition of other manufacturers. When the busy season was over he locked us out and a strike against the firm was renewed, which continued for six months and which the workers were finally compelled to give up.

The same conditions which I am trying to describe here continued in the industry until July of 1910, when the 50,000 garment workers in New York struck, demanding of their employers a minimum wage scale, shortening of hours and the right of the workers to complain to employers when unjustly treated and the establishment of sanitary conditions in the shop. The strike lasted for about 12 weeks, and, largely through the efforts of Mr. Edward A. Filene, one of the largest retailers of women's garments in Boston, Massachusetts, and the Honorable Louis D. Brandeis, now a Justice of the Supreme Court of the United States, who were brought in as mediators, the strike was ended through the establishment of what has ever since been known as the Protocol of Peace. This adjustment established the 50 hour week for the first time in the history of

the garment industry, the right of the workers to have a say as to what piece rates they should receive for the garments they were producing and arbitration machinery for the adjustment of disputes was set up. The organization of the dress makers followed the settlement of this strike. The workers in the coat industry then consisted mostly of men while the workers in the dress industry were largely women. The hours and wages of the women were even worse than that of the men. The settlement of this strike encouraged the women to ask improvements from their employers. Their demands were in most instances refused and many of the women who had the courage to talk to their employers on the subject were discharged. The efforts of the women to better their conditions were futile until the occurrence of the tragedy of the burning of the Triangle Ladies' Shirt Factory in the City of New York, wherein several hundred of the workers were burned to death. This occurrence caused wide popular indignation and the public at large for the first time realized and was brought face to face with actual conditions in the women's garment industry and, with the sympathetic cooperation of a large number of society women in New York, the women in the dress factories were encouraged to strike and demand of their employers fire prevention improvement and general economic improvement. This resulted in the formation of what is known as the Dressmakers' Union, under the banner of the International Ladies' Garment Workers Union and the Dressmakers' Union consists now of 160,000 workers, mostly women employed on silk, wool, and the better type of dresses throughout the country.

The settlement of the strikes in New York had a widespread effect on the workers employed in the same industry in other cities, and the Chicago, Illinois, workers immediately formed local unions, which local unions have affiliated with the International Ladies' Garment Workers Union and, through constant efforts in Chicago and other cities throughout the country collective agreements have been entered into and continuously maintained between the union and employers in the cloak, suit, and dress industries. Working conditions in other cities were almost identical with those in the city of New York prior to the union agreements. These conditions, largely through the efforts of the union, were extended to other cities in the United States,

In 1913, the workers on women's coats in the City of St. Louis, Missouri, formed a

union which immediately affiliated itself with the International Ladies' Garment Workers Union and, after a strike of several months, the improvement gained by the workers in other cities was recognized by the employers in St. Louis. However, this applied only to the workers that worked on women's coats and suits. The workers in the silk dress and wool industries and the workers employed in the cotton dress industry were not able to secure substantial improvements until 1933. Every effort made by the women workers in the State of Missouri up until 1933 was met with stubborn resistance on the part of their employers and an obstinate refusal to recognize or deal with the unions which the workers had attempted to form from time to time. All individual workers that were active in forming those unions were fired, without opportunity of obtaining employment any place in the industry in the State of Missouri.

In 1933, the women workers in the silk dress industry in St. Louis formed a union in an effort to improve conditions. The employers refused to negotiate with them, which resulted in a strike and, after several weeks of unemployment, a collective agreement was entered into between the Associated Garment Industries of St. Louis, consisting of manufacturers producing silk, wool, better grade of cottons and linen dresses and the St. Louis locals affiliated with the International Ladies' Garment Workers Union. This agreement established the 35 hour week in the industry, a minimum wage scale of 63 cents per hour for operators and a collective machinery for the adjustment of disputes and so forth. That agreement has since been renewed from year to year and, on Saturday, October 2nd, a two year renewal of the agreement was agreed upon between the St. Louis employers and the Union, with an increase in wages of \$5.00 per week for the cutters and a 5 per cent increase in wages for all the rest of the workers.

Following the settlement of the strike in St. Louis, a number of workers in Kansas City approached a young lady by the name of Marian Burns, who was then at the head of the Women's Trade Union League in Kansas City, and asked her to get in touch with the union which had jurisdiction in this industry and to have them send someone to Kansas City to advise them how a union could be formed. Miss Burns communicated with our national office in New York, which sent a representative here to investigate conditions. The report submitted by this representative of the union was that conditions in the

garment industry in Kansas City were highly unsatisfactory to the workers. The representative also advised the New York office that there was a group of workers who were organized and applying for a charter for the establishment of a local union in Kansas City. Accordingly, a charter was issued to the Kansas City workers and a local union established, known as Local No. 114. Thereupon, the workers requested the national office to send someone to Kansas City who might be able to negotiate agreements with employers to improve conditions and also guide the growth of the organization. A charter was granted in the latter part of the year of 1933. Following the granting of this charter, workers from every shop in Kansas City began to join the union. These workers were from every branch of the industry and from every garment plant in Kansas City, including a number of the workers employed by the Donnelly Garment Company.

I came to Kansas City in July of 1934 and immediately began negotiations with the employers in the industry. Up to the present time these negotiations with employers have resulted in agreements with fully 90 percent of the manufacturers of ladies' garments in Kansas City, which agreements have established the 35 hour week in the coat, suit, silk, linen and high grade cotton dress industry, with a minimum wage scale for women operators of 62 to 75 cents per hour in the coat industry, and the 35 hour week and a substantial improvement in the wage scale for the workers in the silk dress, higher type cotton dress and linen dress industry; also improved conditions and the 40 hour week for workers employed in the cheaper grade of the cotton dress industry, and arbitration machinery was set up jointly by the employers and the union for the adjustment of all disputes that might arise in the shops during the life of the agreement. The contractual relations which exist at present between the unions and these employers are very friendly and cooperative.

A short time before I came to Kansas City in the early part of July, 1934, a union meeting was held in Kansas City at which the principal speaker was President David Dubinsky, of the International Ladies' Garment Workers Union. This meeting was attended by several hundred garment workers, both union and non-union, among whom were a number of the employees of the Donnelly Garment Company. A number of these

last named workers reported to me that after the meeting a Mrs. Reeves, who was the production manager of the firm, then called these girls into her private office and asked them what business they had to attend the union meeting and what relation they had with the union, whether they were members of the union and if not did they contemplate joining the union and told them it would not be advisable for them to join the union, and that if they did persist in joining that that would be considered as an act of disloyalty by the firm and their discharge would follow. A number of these girls told me that they had said to Mrs. Reeves that they intended to join the union because they felt that certain improvements in working conditions and wages were necessary and they believed the only way they could accomplish such improvements would be by joining the union. These girls told me that after that conversation took place that they were discharged and that since then they have not been able to obtain other employment, and they have requested me to see what I could do to get them reinstated, saying further that they did not believe that the firm had any right to discharge them because of the fact they attended a meeting of the union or intended to join the union.

I then took the names of these girls and under date of July 18, 1934, I sent a letter addressed to the Donnelly Garment Company, 1828 Walnut Street, Kansas City, Missouri, requesting the company to grant me an interview in which I could take up the complaints of these discharged girls. Immediately after sending the letter, I talked over the telephone with a Mrs. Reeves, the production manager of the Donnelly Garment Company. She asked me "What is the appointment for? What is it all about?" I told her that there were several girls that had complained to me that they had been discriminated against because of their union activity or union membership and that I wished to take the matter up with her. She replied very curtly, "We don't discriminate." I then asked her why these girls were discharged. I said, "They are out of work and they have worked for the Donnelly Garment Company for years." Her reply was "They were laid off because of seasonal unemployment." I told her that the circumstances as described by these girls seemed to indicate a pure case of discrimination. She then said, "There is no use of wasting time. We are not discriminating and that is all."

Immediately following that conversation, these girls decided to continue the

organization and apply for a charter as a separate local for the workers of the Donnelly Garment Company. On December 6, 1934, an application was made and a charter issued under the name of the Donnelly Garment Workers Union, Local No. 124. A number of the girls that were discharged and a number of the girls that had joined the union, who were still working in the factory, were applicants for the charter and became the charter members of said Local No. 124. On the same day, to-wit, December 6, 1934, a complaint was filed with the National Labor Relations Board Regional Office, 12th District, Scarritt Building, Kansas City, Missouri, in words and figures as follows:

"December 6, 1934.

NATIONAL LABOR RELATIONS BOARD REGIONAL OFFICE TWELFTH DISTRICT,  
SCARRITT BLDG.

KANSAS CITY, MISSOURI

INTERNATIONAL LADIES GARMENT WORKERS' UNION

v.

DONNELLY GARMENT COMPANY, Kansas City, Mo.

COMPLAINT

COMES NOW the International Ladies Garment Workers' Union, for and in behalf of  
Thelma Owens, Mayme Tubbesing,  
Tilly Shirley,  
Ellen Fry,  
Gladys Richardson,  
Lou Perkins,  
Lillian Rutherford,  
Glynn Brook,

and states that said women are members of International Ladies Garment Workers' Union; that each of them was employed by Donnelly Garment Company and discharged or laid off because of their activity in organising a local union from the employees of the Donnelly Garment Company, because of their declarations that they intended to become members of the International Ladies Garment Workers' Union and because of said

membership in said Union, in violation of Section 7A of the National Industrial Recovery Act.

WHEREFORE, said International Ladies Garment Workers' Union for and in behalf of each of said women, asks for an order of the National Labor Relations Board compelling the said Donnelly Garment Company to reinstate each and all of said women to their former positions, with full pay for the time during which they have been illegally discharged and laid off.

INTERNATIONAL LADIES GARMENT WORKERS' UNION

By (s) Meyer Perlstein

Under date of December 21, 1934, I addressed a letter to Mr. George Pratt, Director of the Kansas City Regional Labor Board, the following being a true and correct copy of said letter:

"December 21, 1934.

Mr. George Pratt,  
Kansas City Regional Labor Board,  
Scarritt Building,  
Kansas City, Missouri.

Dear Mr. Pratt\*

In connection with the complaints filed against the Nell Donnelly Garment Company, we wish to inform you of the developments of the last few days.

The firm is continuing discriminative action against the members of the union and the latest move was to isolate the workers who are known to be members of the union from the main building, where they the workers have worked for many years.

The president of the newly chartered "Donnelly Garment Workers" Local No. 124, the vice-president and a good many other active members were transferred to work in new quarters that the firm has recently opened, it seems to us for the special purpose of isolating the members of the union or possibly congregating them in a temporary place and then close the place and discharge the workers.

We strongly object to having these members of the union transferred to these quarters.

Sincerely yours,  
(s) Meyer Perlstein,  
Special Representative,  
I. L. G. W. U."

In January, 1935, none of the said discharged union employees having been returned to their work and a number of new union employees having been discharged for Joining the same, and other unfair and discriminatory action having been taken against our members, I addressed a letter, under date of January 25, 1935, to the Donnelly Garment Company, the following being a true and correct copy of said letter:

"Kansas City, Missouri, January 25, 1935.

Donnelly Garment Company,  
1828 Walnut Street,  
Kansas City, Missouri.

Gentlemen:

As the accredited representative of the International Ladies' Garment Workers Union, which represents 225,000 workers and is the third largest union in the American Federation of Labor and as the accredited representative of the Donnelly Garment Workers Local No. 124, of that union, we take the privilege of addressing this letter to you.

Last year, with the birth of the new deal, a number of the workers in your shop began to apply for membership in the above mentioned organization. Various groups of your workers constantly applied for membership and finally our International granted them a charter.

Following their organization, these members have experienced a decided change in the attitude and action of your executives toward them. They complain that they have been unfairly propagandised to abandon their union; given veiled threats of discharge should they fail to do so; discriminated against; isolated from other workers by transfer to a separate building and transferred to other than their usual type of work; so that their earning power has been materially reduced; and workers of proved efficiency and long experience in your employ have been discharged without cause. That these complaints

are not vague and imagined is evidenced by the fact that they have taken definite form in cases pending before the Regional Labor Board, That they are not without merit is evidenced by the fact that your executives have interposed every artifice and technicality to delay a full and fair hearing and that the cases still pend.

There is a voiced feeling among these workers that the special concessions made to your firm by certain administrators of the National Recovery Administration have resulted in great benefit to you at the expense of and without corresponding benefit to the workers. The Administration undoubtedly, in permitting you to manufacture a higher priced garment, acted upon a belief that the workers would benefit by this concession proportionately; but the contrary has proved to be the fact.

Let us at this point assure you that it is not the purpose of our union either to disrupt or run business. Our activities are predicated upon the principle of co-operation between employer and employee for the fair and mutual benefit and profit of all. All we ask is for an opportunity, through our organization, to present and submit labor's views, and to work out peaceably and equitably the problems of uniform and adequate wage scales, protection for the experienced workers, the determination of piece-work rates, and all other problems jointly affecting your organization and our members.

We desire to accomplish these ends peaceably. There should be no need to resort to methods resulting in cessation of work and economic loss in order that the workers may in 1935 gain that equality in his inalienable rights in the economy of the nation which he in 1776 obtained politically.

Surely the founders of your firm are fair enough to concede that we have reached a state in our civilization where the worker, through his labor union, must be recognized as having a voice in industry and the conditions of his employment.

We address this letter to you in the sincere hope that it will form the basis for co-operation between the members of our union in your employ and your firm. The success of industry depends upon such co-operation. We stand ready to do our part toward creating the machinery for a mutually cooperative relationship.

Through your prompt response to this communication there can be averted the necessity for a more direct drawing of the issues and the possible precipitation

of industrial turmoil. The power for peaceful action is in your hands and we trust you will pursue this course.

Most sincerely yours,

International Ladies' Garment Workers Union

By - Meyer Perlstein, Special Rep.

Donnelly Garment Workers Union No. 124.

The Donnelly Garment Company entirely ignored this letter and made no reply thereto.

Upon January 10, 1935, the discrimination against our union workers in the Donnelly Garment Company still continuing, I addressed a letter to Mr. George Pratt, Director of the Kansas City Regional Labor Board, a true and correct copy of which follows:

"January 10, 1935.

Mr. George Pratt,

Kansas City Regional Labor Board,

Scarritt Building,

Kansas City, Missouri.

The discrimination against the union workers of the Donnelly Garment Company continues.

Pauline Lutz has worked for this firm for about five years doing edge hemming most of the time and earning approximately \$25.00 per week. Since she joined and became an active member of the union they took her off her regular job and shifted her from one operation to another, which naturally does not give her the opportunity of earning the amount she previously earned.

Gladys Richardson has worked for this firm for about ten years most of this time on hemming. She used to earn regularly from \$17.50 up to \$22.50 per week. Since she joined and became an active member of the union she has been taken away from her regular work and put on a button machine and today, for instance, she worked all day and couldn't make more than \$1.50 for the full day.

Dola Pruitt was working regularly on straight sewing; since she joined and became an active member of the union they put her on binding and her earnings were reduced

substantially. They have also served on her the enclosed notice.

Virginia Stroup, the president of the local and the representative of the union in the shop, tried to get in touch with Mrs. Reeves, the manager of the firm, to adjust the complaints of these girls but Mrs. Reeves refuses to take up the complaints with her.

We respectfully request the Board not to delay the complaints we have against the firm and make an end to the discrimination against our members.

Sincerely yours,

(s) Meyer Perlstein, Special Representative. I. L. G. W. U.

MP/EB

On January 31, 1935, I addressed another letter to the Kansas City Regional Labor Board complaining of the conduct of the Donnelly Garment Company towards the members of our union, a true and correct copy of which follows:

"January 31, 1935

Kansas City Regional Labor Board :

This is a complaint of the International Ladies Garment Workers Union against the Donnelly Garment Company.

On Wednesday evening, January 30, 1935, a number of our girls were distributing circulars at the Donnelly Garment Co. as the workers were leaving the building from work. While these circulars were being handed out by our girls a number of the Donnelly employees threw water and spit on them from the floors above. These actions were not only noticed by these girls distributing the circulars but also by people standing on the side of the street opposite the building.

(s) Meyer Perlstein,

Special Representative,

I. L. G. W. U."

On July 23, 1935, I addressed a letter to the Donnelly Garment Company, a true copy of which follows\*

"July 23, 1935.

Donnelly Garment Co.

1823 Walnut Street,

Kansas City, Missouri.

Gentlemen:

The following members of our union have complained to us that they have been discriminated against and discharged because of their union affiliation and activity. We have made a thorough investigation of their complaints, have found them to be true, and respectfully submit that their discharge and discrimination was unlawful.

We, therefore, request you to have these workers reinstated to their former positions and reimburse them for the loss of pay they have been caused to suffer by being illegally discharged.

Ellen Pry

Thelma Owens

Glynn Brooks

Lillian Rutherford

Tillie Shirley

Lou Perkins

Pauline Luts

Gladys Eldridge

Mamie Tubbesing

Virginia Stroup

Lillian Wales

Frances Reidel

Nora McKee

Loretta Sisson

Ollie Thompson

Minnie Liles

Clara Enloe

Edith Alexander

Sincerely yours,

Kansas City Joint Board, International Ladies Garment Workers Union.

By (s) Evelyn Swanson,

K. C. Joint Board, Secy.

By (s) Meyer Perlstein,

I. L. G. W. U. Representative”

The Donnelly Garment Company entirely ignored this letter and made no reply thereto.

Hearings before the National Labor Relations Board upon the complaints of the International Ladies' Garment Workers Union against the Donnelly Garment Company began on February 26, 1935, and continued, with adjournments, down to and including May 25, 1935.

Under date of June 10, 1935, I received the following letter from Mr. George O. Pratt,  
Director of the Kansas City Regional Labor Relations Board :

"NATIONAL LABOR RELATIONS BOARD REGIONAL OFFICE TWELFTH DISTRICT,  
SCARRITT BLDG.

KANSAS CITY, MISSOURI.

TELEPHONE NO. Victor 4180.

June 10, 1935.

Donnelly Garment Company,  
1828 Walnut Street,  
Kansas City, Missouri.

International Ladles Garment Workers' Union,  
831 Walnut Street,  
Kansas City, Missouri.

RE: International Ladles Garment Workers Union

vs.

Donnelly Garment Company, Kansas City, Missouri.

Case No. 160

Gentlemen:

Since all codes of fair competition have been declared invalid, and no further attempt is being made by the National Recovery Administration to enforce the provisions of the Codes, the National Labor Relations Board has issued instructions to close all pending cases.

In view of these instructions, you are notified that the above case is closed. No hearing will be held and no decision will be rendered in it.

Very truly yours,

REGIONAL LABOR BOARD, TWELFTH DISTRICT (s) George O. Pratt George O. Pratt,

Associate Director

GOP;ESH

cc Senator James R. Reed cc Roy W. Rucker

cc R. L. Blume

"

During these attempted negotiations, filing of complaints and the hearings, the compensation of workers at the Donnelly Garment Company was increased and the working conditions improved.

Following the decision of the Supreme Court of the United States holding that the National Industrial Recovery Act was void, the Labor Board closed the hearings in connection with our complaints and the Donnelly Garment Company immediately discharged all known members of our union, including its local president and other officers. Following that, the earnings of the employees were reduced and working hours were increased.

The union has continued its organizational work in Kansas City and elsewhere in the State of Missouri, including the Donnelly Garment Company, and, the said company continuing its discriminatory practice of refusing to hire members of our union or to enter into negotiations with the union, on March 9th, 1937, I addressed another letter, in association with Wave Tobin, Manager of the Kansas City Joint Board, to the Donnelly Garment Company, a true and correct copy of which follows:

"March 9, 1937.

"Donnelly Garment Company,  
1828 Walnut Street,  
Kansas City, Missouri.

Gentlemen:

The Kansas City members of the International Ladies' Garment Workers Union feel compelled to place before you the following grievances that should be adjusted immediately.

Fifteen members of our Union were discharged by your firm because of their affiliations with our organization. Their case was up before the National Labor Relations Board. During the period the hearings took place the NRA was declared unconstitutional by the Supreme Court of the United States and the Government could proceed no further. The discharged workers have not as yet been returned to work by your firm.

The dress industry, in which your firm is engaged, is highly unionized throughout the country. Every producer of dresses is in contractual relations with our Union. The

150,000 workers employed in this industry are enjoying a 5-day, 55-hour working week and a \$22.50 per week minimum wage scale for operators and reasonable, fair minimum scales for finishers, pressers, cutters, et cetera. Piece workers who compose the majority of workers in your shop as well as in the industry, are enjoying the right, through committees selected by them, of having an equal voice with the management in each shop in determining the piece rates for each garment or operation of a garment.

The workers in the industry enjoy the freedom and right of organization. Collective bargaining has been established as a permanent institution. These are the conditions and wage scales in the industry.

In your shop the minimum wage scale for operators is between \$12.50 and \$15.00 per week.

The wage scales for finishers, pressers and cutters are at least 30% lower than those that exist in the industry.

The hours of work in your shop are from 40 to 50 per week

Your workers are denied the right of joining a labor organization, and those who do, are immediately discharged. Your workers are denied the privileges of genuine collective bargaining. The piece workers in your shop have no voice as to what the piece rates should be as they are set exclusively by representatives of your firm.

The conditions and wages under which your employees are working not only deprives them of the privileges and opportunities enjoyed by the workers in this industry, but endangers their general work standards and wage scales. Your firm has undue and unjustified advantages over your competitors. The Union believes in "Fair Competition", but it does not consider competition fair when it is gained solely at the expense of the workers.

Under your system of production workers are compelled to invest extraordinary effort, but the reward that follows is very meager in proportion to the efforts invested.

Under modern methods of production such treatment of workers is not only wrong from the humane point of view, but also destructive from the economical point of view.

In comparison with other shops in the industry which produce the same type of garment the production in your shop is about 30% higher while the earnings of the workers are

about 30% lower.

We, therefore, believe that a conference between our Union and your firm, for an adjustment of these grievances, should take place immediately. The Union has named a committee which stands ready to meet a similar committee named by your firm.

May we respectfully request that you advise us before the end of this week as to when and where it would be convenient for you to meet our Conference Committee.

Our aim is industrial peace. We believe in intelligent co-operation between employer and employee. Such co-operation is essential for the welfare of all factors in industry, including the consuming public and community at large. Peace and harmony prevails in the major part of the Dress Industry and we are eager to extend this co-operation to include your firm. Let us join hands to avoid industrial conflict.

Respectfully yours,

Kansas City Joint Board

INTERNATIONAL LADIES GARMENT WORKERS UNION By Wave Tobin, Manager.

MP A proved by: Meyer Perlstein, Regional Director International Ladies' Garment Workers' Union."

The Donnelly Garment Company ignored this letter and made no reply thereto. This letter was sent in good faith and in an endeavor to honestly and fairly establish with this concern the same relations that had been established and are now existing with the largest majority of manufacturers in the Industry in Kansas City and the relationship now existing between our union and more than 7000 manufacturers of women's garments throughout the United States and Canada so that the same system of collective bargaining might be recognized and established by this concern and the workers in this shop given the same opportunity to collectively agree on wages and hours and conditions of employment and which would be fair to both employer, the employees and to the industry as a whole.

A comparison of the conditions that exist in the garment industry today with conditions which existed prior to the formation of the unions shows that there is a material change, a change which would only be recognized by those who have worked in the shops before. The garment workers in New York and in the other large centers of this

industry live at present in modern apartments. Their children have an opportunity for proper schooling, many of the workers have children in college and a good many of the members of the learned professions, such as the law, medicine, teachers, dentistry, and so forth are children of garment workers. The average garment worker is at present working in a sanitary shop with wage scales that range from \$55 to \$60 per week for male workers and between \$30 and \$45 per week for female workers. The major portion of the garment industry has established the 35 hour week. Every union shop in the garment industry has a committee selected by the workers and, together with the management, have an equal voice in determining the piece rates for piece workers. Each worker has the assurance that he will not be discharged unless it is for a Just cause. In case a worker is discharged and there is reason to believe that he has been unjustly discharged, an arbitration procedure has been set up to review such cases.

The educational department that the garment workers have developed through their union in the last 15 years has given them an opportunity to acquire knowledge of the better things in life. Hundreds and thousands of the garment workers, men and women, are attending the classes organized by this department throughout the country. These classes consist of the study and discussions on political economy, history, literature, music, and art, and many types of recreation, athletics and so forth are provided. In every large center of this industry the better type of concert and opera is being attended by many garment workers. This type of educational and recreational activity is extended to every city where a local union is established and, lately, is being developed on a large scale in Kansas City.

Particular care is being given to the health of the workers. Tuberculosis that was so prevalent in the garment shops in days gone by has been reduced to a minimum in the shops where collective bargaining has been established. In the shops where a modern system of production has been introduced, the collective agreement with employers provides a joint machinery for the control of the speed required of the workers. It was learned through years of experience that in all cases where highly scientific methods of production have been introduced that a system of proper control of speed must be established in order to safeguard the health of the workers. That has been accomplished

in shops that have contractual relations with the union. In the shops where no such contractual relations exist and proper limitation is not placed upon speed, nervous breakdowns follow and the tension of the worker is so great that many of the workers in each shops are almost constantly under the care of a physician. One of the great problems in the shop of the Donnelly Garment Company is the establishment of the necessary safeguards for the restriction of the unlimited speed in order to preserve the health of the workers. Fully 98 per cent of the workers in the dress industry consist of girls and women, and the safeguarding of their health is one of the prime duties and obligations with which the union is confronted and which it is constantly pressing with hope of complete accomplishment. The shortening of hours to 55 per week which has been accomplished in the major portion of the ladies garment industry has had a profound influence in preserving the general health of the workers. To elevate the standards of the Industry, uniformity of conditions are necessary so that the entire industry may be put on a fair basis of competition, with continuity of employment for the workers.

Further deponent saith not.

Subscribed and sworn to before me this day of, 1937.

Notary Public

My Commission Expires April 20, 1939.

UNITED STATES DISTRICT COURT WESTERN DIVISION, WESTERN DISTRICT  
OF MISSOURI

No. 2924

DONNELLY GARMENT COMPANY, a Corporation, and DONNELLY GARMENT SALES  
COMPANY, a Corporation, Plaintiffs

-vs-

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

AFFIDAVIT OF MEYER PERLSTEIN (COPY)

FRANK P. WALSH JEROME WALSH

Attorneys for Defendants