

MONTHLY REPORT OF LABOR SECRETARY

November 30, 1946

LABOR DEPARTMENT PROGRAM

The objectives of the Labor Department's program have been sent to all branches with paid executive secretaries. In addition, a copy of the proposed manual has been sent with the request that branches comment on its contents.¹ So far, we have heard from the Bridgeport branch only. Miss Mary Thornton, Executive Secretary, comments, "May I say that the material was handed to the Chairman of our Labor Committee who has had about twenty years experience in organizing and working with labor unions and she said that there are no deletions or additions to be made." We have had requests for material from other branches which we are complying with. Miss Hope Spingarn has agreed to talk with several persons about ways in which the proposed labor manual can be made both simple and attractive.

REQUEST FOR ASSISTANCE ON LOCAL PROBLEMS

The Atlantic City branch is working with the street car company for the purpose of accomplishing the employment of colored operators. I have agreed to attend a conference with the company as soon as it is arranged.²

The Standard Wholesale, Phosphate, and Acid Works in Baltimore employing approximately 200 colored people is charged with failing to follow its contract with the United Mine Workers and systematically reducing the number of colored persons employed. I have taken this matter up with Mr. Vernon Ford, Regional Director of the United Mine Workers, and have had several conferences with the men involved.³

The International Brotherhood of Pulp, Sulphite and Paper Mill Workers, AFL, is organizing the workers of the Old Dominion Box Company in Charlotte, North Carolina. Our local branch is cooperating with the union according to one of the officials, but, recently, the union and the AFL have been the target of an attack in a letter purportedly coming from the Society for Truth Between the Negro and White Races.⁴ This letter came from Jacksonville, Florida. Through the Director of

Branches, we have asked for information on this organization but have not found any. It appears that this organization is non-existent. One of the international officers of the union has asked that I meet with him to discuss some of the problems arising in connection with the organizing of workers in Southern areas. This particular official is a former working associate of mine in the Office of Production Management.⁵

STATE FEPC MEASURES

In spite of rather vigorous work by the people of California, the measure designed to create a state FEPC was defeated by a two to one vote on November 1 according to information I have received from California. It is stated that a great deal of opposition was directed at a section of the measure dealing with court review. It appears that, although the proposal was voted down, an effort will be made to have legislation introduced in the next session of the legislature. Mr. Harry L. Kingman, former Regional Director of FEPC on the West Coast, has been one of the staunch exponents of this legislation and supplies us with reliable information upon request. If this legislation is ever passed in California, his work will be responsible for its success in a great measure.

This Minnesota Governor's Commission is proposing that FEPC legislation be passed in that state. We also have indications of increased activity for FEPC legislation in Pennsylvania and Michigan. The Illinois State Federation of Labor, AFL, has asked the National Office for advice on the kind of legislation it should support. Other state federations are also seeking this kind of information. On the national front, it appears that the Department of Labor will again have some responsibility for FEPC legislation and we are requesting the Secretary of Labor to indicate his plan in this connection.⁶

EMPLOYMENT SERVICE

At the suggestion of committee member Nelson Cruikshank, AFL, we have sent a letter to Mr. Frank Bane, Executive Director, Council of State Governments, urging that the organization support the establishment of safeguards against discrimination now that the employment service has been returned to the states.⁷

Letters from governors are still coming in.⁸ So far, it appears that Washington, Wisconsin, and New York are the only states which will actually refuse discriminatory

orders. We are not entirely certain of Washington and Wisconsin since the answers to our inquiry on this point were somewhat general. It was encouraging to receive reasonably cooperative replies from a number of states, but we are still far from satisfied. The Governor of Illinois has indicated that the problem of operating the USES will be given special study, and we have urged a number of citizens in that state to write to him and ask for proper standards.

The Rev. M. M. Matthews, President, Missouri State Conference of Branches, recently wrote expressing approval of our letter to the governor of his state. Some indication of what may be expected under state operation was furnished by a report from Mr. James Steward of Oklahoma. Mr. Steward stated that even while the employment service was still under federal control in July, out of 637 skilled placements, only 4 were non-white.

I had a conference with Mr. Robert C. Goodwin, Director of USES, on November 26. He indicated that some states are following a former national field instruction which provides that discriminatory orders be accepted but all workers shall be referred on a non-discriminatory basis.⁹

HOUSING EMPLOYMENT

There are now over 77,000 persons in apprenticeship training for construction trades but there is virtually no information on how many colored persons are participating in this type of training. While in Oklahoma this month, I talked with persons familiar with the construction employment in Tulsa and Oklahoma City. It appears that colored persons are getting jobs with colored contractors but they are not moving into the broader fields with the larger companies. From Baltimore, we have the report that out of 78 firms which accept apprentices in the building trades not one has a colored individual. We have passed this information on to the National Housing Agency and have asked for assistance in increasing the use of colored persons.¹⁰

RAILWAY PROBLEMS

The Justice Department has not yet taken action on the complaints of train porters mentioned in the October report. It will be recalled that in Memphis and Mound Bayou, Mississippi, colored porters were beaten, and, in one instance, shot by white conductors.¹¹ In a conversation on November 27, we have again urged the Department of Justice to take action.

The Legal Department has reported complaints of stewards on the Pennsylvania Railway seek[ing] to join the Brotherhood of Railway [Railroad] Trainmen.¹² I had planned to discuss this matter with Mr. A. F. Whitney, President of the Brotherhood, at the CIO convention where he was a speaker. However, I did not arrive in time to catch him, and a committee member, Mr. Willard F. Townsend, has written a letter to Mr. Whitney on this problem.¹³

TELEPHONE COMPANY

The Telephone Company has replied to our letter of October 30, 1946. The statement of Vice President, Mr. Kenneth L. Wilkinson, is so brief that I have included it in full. "As you may know, the companies in the Bell System are quite generally employing a substantial number of colored people and the types of jobs for which such people qualify are continuing to increase. All of the companies are doing what they can for the employment of colored people in the light of conditions in their territories and are treating the matter on a long term basis in order that whatever is done shall be sound and enduring. We feel sure that this course of action over the years will produce the best results." This reply is unsatisfactory in many respects, however, we are advising branches to take follow up action and it will be a subject of discussion at the January meeting of the Labor Committee.¹⁴

GOVERNMENT EMPLOYMENT

The Legal Department has referred to us complaints against the Social Security Administration and the Adjutant General's Office. These complaints were filed in behalf of persons employed by the Office of Dependency Benefits in New Jersey. Although we have no names of individuals discriminated against, the colored employees contend that both the Social Security Administration and the Adjutant General's Office failed to give them opportunities for employment on a non-discriminatory basis while recruiting employees who did not wish to move from the East to St. Louis with the Office of Dependency Benefits. For example, 200 employees were hired by the Adjutant General's Office and only 6 were colored according to the allegations. We are taking this matter up with the War Department and the Social Security Administration.

CIO CONVENTION

I attended the CIO Convention in Atlantic City this month.¹⁵ My relationships with the delegates were most cordial and I met a great many of them who seemed glad that the NAACP has a labor program. Also, I had an opportunity to see many I had not seen in a long time. Philip Weightman, First Vice President of the Packing House Workers, stated that his union plans to cooperate financially with the Chicago branch.¹⁶ I expect to write to him as a follow up on this, and, also, I shall send a note to Mr. McGee, the Chicago President about it.¹⁷

The Convention passed resolutions calling for the ousting of Senator Bilbo¹⁸ passage of anti-poll tax legislation,¹⁹ return of the employment service to federal control,²⁰ passing of state and federal FEPC laws,²¹ out-lawing of segregation in the District of Columbia,²² legislation against racial discrimination in federal appropriations for state aid,²³ and invalidation of restrictive covenants.²⁴

I had a brief chat with Mr. Philip Murray who seemed pleased with the prospect of being a member of the NAACP Board.²⁵ Also, the telegram from Mr. White to the Convention was received with enthusiasm by the delegates.

SPEECHES

This month I attended the Oklahoma State Conference of Branches and had a most cordial reception from National Board member Roscoe Dunjee and numerous other persons in Oklahoma. The Conference was most spirited and one of the high lights was a speech by a young white student from the University of Oklahoma. Approximately 50 white students from the University came to the Conference to show their desire to have colored students on the campus. Miss Ada Lois Sipuel is the student who is seeking admission to the University Law School.²⁶ Funds were raised for prosecuting the case. It should also be noted that in Oklahoma, a number of persons are refusing to ride jim crow coaches. Mr. Dunjee and Mr. David Grant of St. Louis both indicated that they had recently ridden into Oklahoma from outside of the state without going into the jim crow cars.²⁷

MS: MP.

[1] Areas on which the proposal provided guidance were reflected in the section headings: "Before Taking Action on Any Problem Ask Yourself the Following Questions," "In Handling Specific Complaints Determine These Facts," and "How to

Initiate Local Action.” Guidance was also offered for “Branch Action on Complaints,” notably on “Refusal to Hire,” “Refusal to Upgrade,” “Refusal to Train,” “Wage Discrimination,” “Discriminatory Dismissals,” and “Discrimination by Unions.” See, in appendix 1, vol. IV, 3/7/47.

[2] For the historical roots of this problem, see the headnote on Street and Local Railways in volume I.

[3] The complaint was filed by William Bailey. In a meeting with Bailey and union representatives, Mitchell suggested that the union invoke a pertinent feature of its contract that provided for the appointment of an impartial arbitrator. Afterward, the union would take the matter to the NLRB if it was unsuccessful in obtaining Bailey’s reinstatement through the arbitrator. The local, however, refused to support Bailey’s case. Mitchell’s note, apparently to the files, 12/13/46; his memorandum to White, 11/[30]/46; and another memorandum, 1/3/47, all of which are in a file on the Bailey case, NAACP IX: 214, DLC. Other related materials, including Mitchell’s memorandum to the files, 8/28/47, are in NAACP WB-183, DLC. See also 6/2/47.

[4] Mitchell asked Gloster B. Current, director of branches, to check on the Society for Truth, and he reported that members of his staff in Florida had been unable to “substantiate or locate any evidence pointing towards existence of such an organization.” Current’s letter to Mitchell, 12/10/46, NAACP IX: 214, DLC.

[5] This former associate from the OPM could not be identified.

[6] See memorandum from Will Maslow, director of field operations, FEPC, to Malcolm Ross, chairman, FEPC, and George M. Johnson, deputy chairman, FEPC, 3/27/45, in appendix 1, vol. IV. One of the most celebrated developments in this area was the March 5, 1945, passage by the New York legislature of the Ives-Quinn bill against discrimination, which was signed by Gov. Thomas E. Dewey on March 12,

1945. The law declared that discrimination in employment against any resident of the state because of race, color, creed, or national origin was a matter of state concern. Such discrimination, the law said, not only threatened the rights and proper privileges of the people but also menaced the institutions and foundation of a free democratic state. In principle, the law incorporated President Roosevelt's EO 8802. Recommended by Dewey, it was developed by a twenty-three-member commission created by the legislature. Fifteen of those members were appointed by the governor, and the rest were members of the legislature. The Ives-Quinn law established a permanent and independent state agency that was appointed by the governor. "State FEPC—What the People Say," American Council on Race Relations, in HqR2, Office Files of Malcolm Ross, June 1940–June 1946, Tensions.

[7] The initial announcement was that the eighteen hundred local offices of the USES would be returned to the states on November 16, 1946, but they were actually returned on Friday, November 15. Under the new relationship, the federal government continued to finance the operation of the offices. *New York Times* 9/17/46, 26, 10/1/46, 2, and 11/12/46, 19. See also 7/31, 9/30, 11/30, and 12/30/46 reports.

[8] For an example of the letters, see copy of Mitchell's letter to Gov. Ralph F. Gates of Indiana, 10/3/46, attached to a memorandum from Gloster B. Current, director of branches, to NAACP state conference presidents and executive secretaries, 10/7/46, NAACP II: A-653, DLC.

[9] In a letter to Goodwin, Mitchell expressed his continuing concern about the lack of information on the state of employment among minority groups in construction. He suggested that the shipbuilding industry be regarded as an example of the problem and that it be used to "make a determination of whether those non-white persons formerly employed in it," who were now registered with the USES, had skills that would be useful in construction. Mitchell letter to Goodwin, 9/24/46, NAACP II: A-662, DLC. See also 8/31 and 9/30/46.

[10] See 7/31, 8/31, and 12/30/46.

[11] See 10/31/46.

[12] The Brotherhood of Railroad Trainmen was one of the thirteen most powerful railway unions against whom the FEPC held hearings on their practices of racial discrimination in 1943. See HqR64, Central Files of the FEPC, Railroads, Findings; see also introduction to volumes I and II, as well as Watson, *Lion in the Lobby* 131.

[13] No additional information was found on these cases, but for a general background on the long-running struggles against discrimination in the railroads, see in particular the introduction to volumes I and II.

[14] See the headnote on the Telephone Industry in volume I.

[15] Mitchell told White that “it would be a risk” for anyone else to see his report, which was very candid regarding (1) the failure of African Americans to take advantage of the CIO’s liberal policy and participate more fully in its local union activity and at the convention, and (2) the CIO’s internal politicking and personalities. His observations led him to conclude that it was inappropriate to label factions inside the CIO as either right-wingers or left-wingers because “few of the latter” could have been described as communists, if that was what was meant by the term *left wing* and few of the others could have been considered socialists or conservatives, if that was what *right wing* meant. Mitchell memorandum to Walter White, 11/26/46, MP.

[16] See Mitchell’s comments on the packinghouse workers at 4/8/46, in volume II. His references there were to the Chicago NAACP branch.

[17] This and the following paragraph were taken verbatim from Mitchell's 11/26/46 memorandum to White, MP.

[18] The NAACP was equally opposed to the seating of Sen. Theodore G. Bilbo. It angrily protested Bilbo's vitriolic, race-baiting campaign for the Senate primary election on July 2, 1946. Consequently, he was prevented from taking his seat when the Senate convened on the following January 3. He died on August 21, 1947, still a "senator-elect." See Walter White's letter of 11/23/46 to Allen J. Ellender, chairman, Special Senate Campaign Investigating Committee, and Leslie Perry memorandum, 12/28/46, to NAACP branches, NAACP IX: 19, DLC; "Full Senate Inquiry Is Voted on Bilbo's Right to His Seat," *New York Times* 11/17/46, 1; *New York Times* 8/22/46, 1, 10; "Negroes! Jews! Catholics!" editorial, *Crisis* 52 (April 1945): 216; "Oust Bilbo?" editorial, *Crisis* 53 (October 1946): 297; (selections of Senate debate on 1/3/47) "Today It Is the Senate . . . ," *Crisis* 54 (March 1947): 80, 94; "Theodore G. Bilbo," editorial, *Crisis* 54 (September 1947): 265; White, *Man Called White* 89; Watson, *Lion in the Lobby* 185.

[19] In addition to the NAACP, the principal organization seeking to abolish the poll tax by legislation was the National Committee to Abolish the Poll Tax. In Congress, leading allies were Rep. Vito Marcantonio (ALP-N.Y.), Rep. George Bender (R-Ohio), and Sen. Claude Pepper (D-Fla.). Reports of the Washington Bureau, 1/31/47, 2/28/47. See the headnote on the Struggle to Abolish the Poll Tax.

[20] See 9/30/47.

[21] See the headnote on the Struggle for a Permanent FEPC, 1942-54.

[22] Complementing the legal and political struggles was the Council of Social Agencies for the District of Columbia, which authorized a survey of race relations in the capital. The study was done under the direction of Joseph Douglass, executive

secretary of the Washington Urban League. The study showed that in the areas of health, housing, education, and employment in D.C., African Americans suffered great discrimination as a result of segregation. On November 4, 1946, the study was submitted to the Committee on Race Relations of the Council of Social Agencies. Report of the Washington Bureau, 1/31/47, NAACP II: A-655, DLC.

In spring 1947, Leslie Perry prepared a comprehensive statement for Rep. Adam Clayton Powell Jr., from Harlem, on the areas of discrimination in D.C., the history of state and federal legislation, the international significance of the problem in the capital, and the positions of numerous church and other groups opposing this racism. Powell delivered the statement at a hearing before the House District Committee on a civil rights bill, which was reserved for members of Congress who had introduced legislation in this area. Report of the Washington Bureau, 4/30/47, NAACP II: A-655, DLC.

[23] In his testimony on this subject before the Senate Education Subcommittee, Perry urged adoption of legislation that would progressively increase federal appropriations until the federal government guaranteed each child in every state “a minimum per capita expenditure of \$100.” He presented comprehensive tables showing the per capita expenditure for white and black children in eleven states as well as the disparity between the salaries of white and black teachers in ten states. Report of the Washington Bureau, 4/30/47, NAACP II: A-655, DLC. Leslie Perry, 4/28/47, *Hearings* 341–45; 5/14/47, *Hearings* 394–405. See also 4/3, 5/8, 11/3, 12/4, and 12/21/50.

[24] This struggle was developing in the federal courts and would lead to the group of decisions issued by the Supreme Court in 1948 in *Hurd v. Hodge*, *Shelley v. Kraemer*, *Sipes v. McGhee* and *Urciolo v. Hodge*. See Monthly Report of the Legal Department, 6/47, 7/47, 9/47, 10/47, and 11/47 in the Report of the Secretary for corresponding months, all EC. The 11/47 report provides a summary of the NAACP’s brief in *Sipes* which was its case. See the headnote on Segregation in Federal Housing Programs.

[25] The term of Philip Murray, president of the CIO, on the board became effective in 1947. NAACP, *Annual Report* 1947, 94.

[26] Ada Lois Sipuel applied to enter the University of Oklahoma Law School in January 1946. The state, however, refused to admit her, insisting that if she turned down its offer of a scholarship to attend law school outside the state, Oklahoma was not legally obligated to create a separate school for her. That action set the stage for Thurgood Marshall's taking the case, *Sipuel v. University of Oklahoma* to the U. S. Supreme Court in 1948, where, for the first time, he launched an attack on the separate but equal doctrine. The Supreme Court ruled, in effect, that the university either had to admit Sipuel to its white law school, open up a separate school for her, or suspend the white law school until it opened one for blacks. Kluger, *Simple Justice* 259.

[27] In *Morgan v. Virginia* the U.S. Supreme Court ruled that state laws requiring segregated travel could not be enforced against passengers traveling from one state to another. Subsequently, the U.S. Department of Justice brought suit against the Southern Railway Company for refusing dining car service to Elmer Henderson, Mitchell's former FEPC colleague. At that time, struggles were being waged against Jim Crow practices in interstate travel on buses and railroad cars in the cases of *Morgan v. Virginia* and *Henderson v. United States*. Kluger, *Simple Justice* 238, 277.

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All People:

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