DEMOCRACY IN LABOR UNIONS*

1. GENERAL


———. Democracy in trade unions; supplement, with desirable provisions from trade union by-laws, and references to court cases indicated in the report. November, 1943. 24 pp. Free.


These publications are among the best on the subject of democracy in labor unions. The earlier studies were pioneering efforts and created the interest that brought forth many of the following articles. The latest report is a summary of recent factual studies on specific aspects of the problem.


This chapter in a recent text provides in summary form one of the better, more careful presentations of many of the problems of injecting more democracy into trade unions.


In discussing the ever present danger of bureaucracy engulfing even the most democratic union, the author points out that this problem is not restricted to unions, but present in all organizational development. Nonetheless this is a grave problem for unions and the author suggests some possible safeguards to help ensure the continuation of democracy.


*Items from this list should be ordered directly from the publisher. Addresses are given in connection with each reference.
A clarification of "what is meant by the term democracy as applied to a trade union." Reynolds suggests other goals besides democratic government may be relevant (i.e. good government). Probably the best test for union democracy is the existence of the right of active dissent without reprisal.


Problems of union democracy are examined at the local level by the authors who derived their hypotheses from the study of 20 different locals in a number of different areas. The problem of participation receives the main emphasis in this excellent study.


The author's central thesis is "... to examine the essential character of the relationship between the union and the individual worker, and to suggest some of the individual rights which that relationship demands." These rights include, among others, open membership, equal treatment, free elections, and adequate protection from expulsion.


Discusses the specific problem of maintaining democracy within a union yet still allowing efficient administration. The author suggests as a solution to this dilemma (i.e. giving the leadership extensive authority while still providing adequate safeguards to the members) that the labor movement create for itself an impartial tribunal for review of controversial cases.


A general examination of the internal functioning of various unions was undertaken to ascertain any need for remedial legislation. The International Printing Pressmen and Assistants' union and the National Brotherhood of Operative Potters were among the unions testifying.

2. **Specific Aspects of the Problem**
   a. Union Disciplinary Powers and Judicial Procedures


The author of these two articles, a lawyer, discusses the disciplinary powers and procedures of trade unions as a fundamental consideration of trade union democracy. In the former article the extent of punishable offenses and the various types of union discipline are examined, while in the latter various constitutional provisions and union practices come under consideration.


Examines the various judicial procedures used to try rank and file members for alleged violation of the union constitution. Valuable in that it discusses possible dangers from apparently innocuous parts of constitutions.


Points out that although all unions provide for appeal and nearly all for more than one, the really significant point is "the status of the appellant during appeal." By examining union constitutions, Taft discovers that few unions protect the worker's rights within the union during appeal. The author cites some court cases where legal action has offered some relief.


This article provides a statement of the problem of this phase of democracy with unions. A bill of rights for union members is suggested as a possible remedy.

b. Admission Policies and Discrimination


Emphasizes that although "the overwhelming majority of American unions are opponents of discrimination, theoretically and actually," some unions certainly do discriminate overtly or tacitly. A possible solution might be to declare discrimination by both employers and unions as unfair labor practice.


Points out that most unions do not "engage in exclusionary practices of any kind." However, as unions gain strength, they become more able to limit their membership. This is a danger that must be guarded against. The author examines the admission provisions in 185 different union constitutions with respect to race, creed, citizenship, political belief, sex, etc.
c. Legal Limits to Internal Union Activities


Examines the Railway Labor Act, the Wagner Act, the Taft-Hartley Act, and various state laws showing the limited protection afforded individuals while often, in the case of state laws, "unduly restricting union activity." The authors feel strongly that new legislation is needed. In the second part of the article the authors discuss the basic criteria needed in a law (or laws) and examine some then current legislative proposals. The authors made personal recommendations concerning the specific areas which need (or do not need) legislation.


Suggests that the courts accept the theory that "a union member is essentially a citizen within an industrial government" and then limit their actions to setting minimum standards of protection for individuals in said government. This frame of reference plus some basic changes in existing laws might help solve the dilemma of preserving the organization without denying the individual basic rights.

3. CASE STUDIES


This case study of one branch of Britain's largest trade union critically examines the effects of membership apathy on the operation of the democratic process. The analysis considers who can join and participate in the branch and who does participate. However extensive generalizations from the data are probably unwise.


Discusses the problem of democracy versus bureaucracy within a large militant industrial union. Emphasizes the Negro's position within the union.


Attempts to discover the factors responsible for the very high degree of internal democracy present in this union. An effective two-party system and the constitutional right of the opposition to print uncensored articles in The Typographical Journal are only a few of the favorable democratic factors present.