

MINIMUM-WAGE BOARDS

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UNDUE BURDEN UPON CHARITIES. NEXT STEPS

The characteristic new hope which inspires this Conference in the new century is that poverty is to disappear from our country, and that the organizations here represented are to contribute toward that wonderful change.

If, however, we and not our great-grandchildren are to realize this hope, we must follow relentlessly, whithersoever our search may lead, every cause of poverty—physical, moral, social, and economic.

The institution upon which I report rests upon recognition of the fact that one very important cause of poverty is industry.

Poverty is the regular human by-product of certain industries without standards, of certain socially subnormal industries. But it is obvious that in any rational society, each industry must sustain the people employed in it. An industry which supports its workers and their families only in part, places an undue burden upon charity and is, itself, a parasite upon the community. This undue burden upon charity is all preventable. It is all due to a lax tolerance by the nation of predatory management, battenning upon defenseless immigrants in the North and defenseless poor whites in the South. England has already acted upon the conviction that this undue burden upon charity can be lifted by legislation, whatever may be the difficulty of raising by statute the general level of wages.

The existence of industries without standards is a world-wide phenomenon so generally perceived that in September, 1908, the International Conference of Consumers' Leagues unanimously recommended to its members that, on their return to the twenty countries whence they had come, they strive to introduce minimum-wage boards. The National Consumers' League has acted in accordance with this instruction, and this paper is an appeal for

co-operation by every appropriate organization represented in this Conference.

The socially subnormal parasite industries, the industries without standards, vary in different countries. Minimum-wage boards were introduced into Australasia about eighteen years ago for the purpose of redeeming the sweated trades—primarily the manufacture of garments in which, at that time, women, children, and Chinese were reducing all the employees to starvation by their unbridled competition. Minimum-wage boards now exist in thirty-eight branches of industry in Australasia.

In England lace-making, chain-making, and the manufacture of paper boxes have been recognized as subnormal industries, and are included with the manufacture of garments under the Minimum-Wage Boards Act of 1909.

Our subnormal industries are somewhat different. Chains are not made here by hand, and lace-making is still in process of introduction. Our need for minimum-wage boards is, therefore, in a rather different series of trades and occupations. But our need is no less urgent than was the need of Australasia and of England.

In all three countries, an industry is socially subnormal when it regularly and permanently produces wholesale poverty, when it pays wages so low that a workman engaged in it cannot maintain his wife and four children, but must rely upon them for a part of the family support; when it minimizes the employment of men, substituting women and children for them; when it pays to an average, normal woman worker, dependent upon herself, a wage upon which she cannot live.

Whether, in general, wages can be raised by statute is a question of theory and of experience into which the time limit forbids me to go. In this paper I propose merely to discuss three industries for which minimum-wage boards are needed. I select these three because I have been interested in them for nearly thirty years, and because there is an accumulation of knowledge about them even without further special investigation. They are ripe for this discussion. They have been the object of effort of the Consumers' League for several years. They are: first, retail trade in the form of stores; second, tenement-house industries; and, most difficult

and most important of all, the cotton-mills. The regular human by-product of all three is notoriously wholesale poverty. Yet industrially they have been prosperous, producing millionaires galore. Cotton dividends varying from 30 per cent down to 15 per cent have not been unknown within the range of my acquaintance. The phrase "merchant prince" tells its own story and of shoddy millionaires of the tenement-house garment trades we all know more than enough. These industries are subnormal only in their relation to society, not in the ability or the financial success of the men who direct and control them. These industries are what they are by the deliberate, determined policy of the men who conduct them.

RETAIL STORES

For several years the Consumers' League has gathered obvious facts as an incident to its effort to establish standard conditions in stores and factories. In the absence of comprehensive scientific figures showing the relation of women's and children's wages to the cost of living, we are dependent upon obvious facts as these present themselves. Among the *most* obvious facts was the insufficient pay of employees in retail stores.

These stores minimize the employment of men, substituting for them women, girls, and boys, employed largely at less than living wages.

The obvious, characteristic quality of the working force of retail stores is its youth, its cheapness, its irresponsibility, and its defenselessness. Vast numbers of the employees are between fourteen and twenty-one years of age, in the years when our own girls are most carefully guarded, if, indeed, they are not still safely in the high school or college.

Twenty years of living among the immigrants, who contribute unending streams of youthful recruits to the ranks of retail trade, have convinced me that these stores constitute a subnormal industry. An indication of the absence of standards, of the payment of less than living wages, is the undue proportion of their young employees in sanatoria for tuberculosis. Private and public institutions alike have waiting-lists of overworked and underpaid young workers from the retail stores.

The close relation of these stores with the social evil has been abundantly proven in Chicago. In New York, after the wholesale dismissals following the Christmas rush and the midsummer reductions, former clerks and cash girls have been recognized upon the sidewalks.

The well-nigh universal requirement that girl employees shall live at home betokens the parasite nature of the industry which intends to extract from their families a share of the support of the girls.

In the interest of the conscience of the consumers, the Consumers' League of the city of New York has, for years, tried to obtain for the women and girls in the stores a living wage. From 1900 on, the League asked for \$6.00 a week for girls eighteen years old and over who had been clerks a full year in the service of one employer. Obviously, this left all younger employees upon a still lower wage level, and all girls of eighteen years who had been less than a year at work as clerks.

The inquiries of Mrs. Ainslie Clark and Miss Edith Wyatt, in 1909 and 1910, showed that a woman away from home cannot live on this sum in New York City. Girls who try to do so, though they may continue honest and chaste, cannot continue physically well. An industry conducted on this scale produces regularly, as its human by-product, wholesale poverty, vice, and disease. It is indeed an industry without standards, a subnormal industry in dire need of minimum-wage boards. After nearly twenty years of volunteer effort by private organizations, in many states, something has been accomplished in bettering the hours of labor, chiefly by statute. But persuasion has failed as a means of improving wages, and wages are the essential thing.

For the integrity of the nation, these young workers cannot be left to fight their own battle for wages. The young clerks and cash children, the bundle wrappers and change makers, afford no material of which militant unions can be formed to stand out successfully for a living wage. Whatever safeguarding is to be theirs must come to them from without, from the consuming public's determined effort to lift the present undue burden upon charity and correction by establishing standards below which no merchant

may go. A floor must be built beneath the feet of these workers precisely because they are at the age of irresponsibility, and cannot be left to themselves at the edge of the abyss.

Every gain hitherto made in behalf of the employees has met energetic opposition from associations of merchants, who systematically fight the establishment of standards of hours or wages. This industry is kept in its subnormal, parasite condition by deliberate intention of merchants who are among the ablest business men of America. Their organization, formed after the Reinhardt Commission investigation, in 1896, in New York City, has been maintained and strengthened and imitated in scores of cities for the purpose of fighting all encroachment upon freedom of exploitation.

THE TENEMENT-HOUSE INDUSTRIES IN NEW YORK

The branches of production carried on in tenement houses are subnormal, parasite, an industry without standards. They include the manufacture of garments and furs, purses, pocket-books, slippers, paper boxes, paper bags, feathers, artificial flowers, cigarettes, cigars, umbrellas, articles of rubber, macaroni, spaghetti, ice cream, ices, candy, confectionery, nuts, and preserves. They minimize the employment of men. They avoid the maintenance of factories and workshops, substituting women and children for men wherever possible, and kitchens and bedrooms for workshops. They overflow from the factory into the tenements, invading the homes to save the cost of heat, light, power, supervision, and cleaning.

These trades add to underpayment the further evil of speeding, alternating with seasonal unemployment. Piecework in them gives the maximum strain upon health and endurance in return for less than living wages.

A quarter-century of strikes at the center of the garment industry in New York City has resulted in some gain to the men and women who have escaped from the tenements to the ten-story loft buildings. But there are left behind unknown thousands of women and children in 13,000 licensed tenement houses containing from three to fifty families each. For these there is no limit to their working-hours, no depth below which wages cannot fall.

The tenement trades place upon charity a greater burden than do the retail stores because, by invading the tenement homes, they draw within the circle of exploitation and exhaustion mothers and young children, and housebound or bedridden invalids. They demoralize the children's school work, and delay their readiness for entrance upon legitimate industry. They promote congestion of population by keeping home workers within walking distance of the factory and workshop. They *are* the sweating system in the United States.

Tenement workers get all the disadvantages, and charity is burdened with the consequences. The benefits all go elsewhere. Through the tenement-house families the employers and the consumers are alike subsidized. They get relief in aid of profits and relief in aid of bargains. Charity commonly contributes sporadically food or clothing. Lodgers pay the rent. Childhood contributes its uttermost sacrifice to enrich able manufacturers and encourage bargain hunters. Disease spreads among the huddled, exhausted workers and travels afar, carrying poverty in its train.

Half a century after Alton Locke, New York City reproduces all the horrors of the sweating system on a scale as much larger than Kingsley described, as a new-law tenement house is larger than a London workingman's cottage. We have profited nothing by England's experience or our own.

Here, too, as in the retail stores, society cannot afford to delegate to the trade unions a task which they cannot justly be asked to perform. Tenement-house workers have never anywhere been able to form a lasting union. Differences of language, nationality, race, religion, sex, age, and skill make an effective union among them unthinkable.

Society itself must build the floor beneath their feet, and no other effective floor has hitherto been invented for their safety than the minimum-wage-board laws in force for eighteen years in Australasia, and for eighteen months in England.

There is pending before the legislature of New York State a bill for a legislative commission to study the whole subject of manufacture in tenements, with a view to accumulating such a mass of facts as to the labor of men, women, and children in the tenements,

that future legislation banishing work thence (or prescribing rates of pay such as would spoil the appetite of manufacturers for work done therein) may never again be annulled by the Court of Appeals of the state of New York on the ground that the public health is not involved. Through the work of this commission we hope to get, sooner or later, minimum-wage boards for New York.

COTTON MANUFACTURE

Beyond and below the stores and tenement workrooms stand the cotton-mills, the greatest of the textile industries in America. The cotton trade is farthest of these three socially subnormal industries below the normal level. It is the oldest, dating back to the eighteenth century. It stretches continuously along the Atlantic Coast from New Orleans to Maine. It exhibits the same product of wholesale, chronic poverty under high protection in America, as in England under free trade. It is not an accident that New Orleans and Fall River, at opposite ends of the cotton coast, have the worst death rates for cities of their respective sizes in the census of 1900. Tuberculosis and the work of mothers in textile-mills unite to kill neglected babies and underpaid workers.

While the tenement trades carry industry into the home to its undoing and to the burdening of charity, the cotton-mills suck the whole family into industry. The cotton industry everywhere, and at all times, pays such low wages that wives and children must eke out the family subsistence. Its regular accompaniments are child labor, employment of married women, long hours alternating with curtailment, poverty, illiteracy, and tuberculosis. It is regularly subsidized by the children who give it their youth, and by the mothers who sacrifice to it their babies.

Communities dominated by the cotton industry need, though they do not always maintain, relief societies, day nurseries, milk dépôts, clinics, camps and classes for tuberculosis, open-air schools, school luncheons, night-schools for illiterate adults, widows' pensions, and child-labor scholarships. These are some of the palliatives which the textile industry now regularly requires, for instance, in the Kensington region of Philadelphia.

Cotton manufacture is not only socially subnormal; it is also

predatory. It actively strives to prevent legislative progress. It fights the establishment of standards. In not one cotton-mill does the eight-hour day obtain. In no state dominated by the textiles is there a statutory eight-hour day, even for the children. It is in New Hampshire, a cotton-manufacturing state, that we find a new law of 1911 for a minimum age for children in factories, out of school hours, fixed at twelve years, when all other northern states have adopted fourteen years as the minimum. It is the cotton industry which led the recent unsuccessful fight against the women's fifty-four-hour bill in Massachusetts, and induced Governor Blease to veto the appropriation for factory inspectors in South Carolina.

It is an active cotton lobby that keeps Georgia from freeing its eight-, nine-, and ten-year-old children from working sixty-six hours a week and eleven hours a day. It is the cotton lobby which prolongs the life of the law under which fifty cotton-mills employing young children worked at night, in the winter of 1911, in North Carolina. It killed the women's fifty-four-hour bill in New Jersey.

Before the New York legislature of 1911, the garment manufacturers from Troy and the cotton-mill men from Cohoes and Utica appeared together to oppose the women's fifty-four-hour bill, upon the plea that the workers could not live upon their earnings if their working day were shortened—the same plea that is urged against shorter hours for little children in Georgia, where they work sixty-six hours a week. Could there be a more convincing argument *for* minimum-wage boards than this hypocrisy? We shall meet the cotton lobby before legislatures North and South, fighting against the passage of minimum-wage-board laws.

Such are the three industries for which the immediate creation of minimum-wage boards is proposed. They dominate legislation in the series of cotton-manufacturing states stretching from Louisiana to Maine—in Louisiana, Alabama, North and South Carolina, Georgia, Virginia, Maryland, Pennsylvania, New Jersey, and all the six New England states. Along that entire coast of gulf and ocean, New York alone has the eight-hour law for children employed in manufacture.

It is at the opposite side of the continent, on the Pacific Coast,

fortunately free from the cotton lobby and the tenement trades, that we find the new eight-hour law for women and children, in California and Washington. And the new nine-hour law comes no farther east than Utah, Missouri, and Michigan—all three states free from the blight of textile and tenement manufacture.

Henceforth, we shall try by organization, publicity, and education to introduce into states whose legislation has hitherto been dominated by these industries the new standard of the twentieth century, to enforce the principle that goods and profits are not ends in themselves to which human welfare may continue to be sacrificed, but means to human welfare, to be encouraged only in proportion as they promote human welfare.

OBJECTIONS TO WAGE BOARDS

The objection may be raised that, while these three industries do produce poverty, it remains to be shown that minimum-wage boards are a possible, or a desirable, preventive for that poverty. To this we reply that a man is never so little a pauper, a burden upon charity, as when he is earning his living and maintaining his family.

Experience in Australasia shows that men can be enabled to do this, even in previously subnormal occupations, by setting a wage limit below which the cutthroat competitor cannot go. This is done by creating legally constituted boards, composed of representatives of workers and employers empowered to confer in the light of full publicity until an agreement is reached, which has for a specified period the force of law. If at the expiration of the period either side has cause for asking for a change, negotiations must be reopened and the process repeated. These boards, being representative, give all the workers a voice in determining their own wages.

By this use of publicity, the consumer is enabled to know the livelihood of the employees, and the merchant or manufacturer is prevented from drawing largely upon charity for the maintenance of his workrooms or his work people.

If workers are employed who are incapacitated by the infirmities of old age, or of excessive youth, or of chronic disease, from giving the full value of an able-bodied person's wage, the wage boards can

prevent such massing of subnormal workers in one occupation as wrecks the industry. The boards can grade wages and permit the employment of a reasonable number of handicapped persons in a given group at wages proportioned to their reduced usefulness.

Two other troublesome arguments against minimum-wage boards have been offered—one that wages are best regulated by the labor organizations, the other that laws creating wage boards are unconstitutional.

There is, however, no conflict between the unions and the advocates of minimum-wage boards. On the contrary, in Massachusetts, where the unions have more power than in any other cotton-manufacturing state, they have successfully taken the initiative for such legislation by obtaining the creation of a State Commission on Minimum-Wage Boards. In retail stores, however, there are no unions of girl employees known to me east of San Francisco. There are no unions anywhere of tenement-house workers.

In the cotton-mills union men are forced to compete against their own wives and children, who form no unions. In some small communities in the southern states, a man suspected of being an organizer for the textile union has been escorted to the railway station at the point of a gun. Nowhere is their union strong enough to establish wages sufficient to maintain wife and four children by the work of the father. The nation cannot afford to delegate to the unions the task of establishing minimum wages.

The most damaging, because the most paralyzing, argument against minimum-wage-board bills was the question as to their constitutionality. If it be true that these boards cannot be created because we have an eighteenth-century Constitution interpreted by nineteenth-century judges, then urgent is the need of this Republic for a twentieth-century Constitution interpreted by twentieth-century judges. But is the trouble really in the Constitution? Or is it in the judges?

In the Illinois case we may, perhaps, have a cheering instance. Nineteenth-century judges held, in 1895, that the eighteenth-century United States Constitution forbade all restriction upon the working-hours of women. Twentieth-century judges held in 1909,

under the same United States Constitution, that women's working-hours *can* be limited to ten in twenty-four hours. The Illinois Supreme Court is elected for short terms. When the second decision was reached, reversing the first and protecting the health of women who work, no judge sat who participated in the first decision. All had been superseded by twentieth-century judges.

LEGISLATION

In the brief space of thirteen months, since Father John A. Ryan made his eloquent and persuasive address on minimum-wage boards at St. Louis, in May, 1910, the subject has ceased to be an academic one and has entered the legislative phase.

In the present year, 1911, bills for minimum-wage boards have been introduced in three states—in Minnesota, in Massachusetts, where a commission to study the subject was created, and in Wisconsin. In all three states the original stimulus to action came from the Consumers' League—in Minnesota, through Father Ryan, a member of the Minimum-Wage Boards Committee of the National Consumers' League; in Wisconsin, through the state Consumers' League directly; and, in Massachusetts, through the Women's Trade-Union League, to which Miss Balch, then its president, permitted me to present the subject. After that meeting, the Women's Trade-Union League kept the subject before the Massachusetts State Federation of Labor until the bill for a commission was introduced into the legislature.

It is not astonishing that two of these bills failed to become laws. It is, however, only a matter of time when in many states similar laws will be in force. For in our democracy it cannot forever remain true of any industry that the industry itself breeds poverty. Subnormal, parasite, predatory industry, poverty, and disease are inseparable, and must henceforth be considered together in all enlightened discussion of poverty, charity, and correction in this country.

When the people of the United States so decide, all industries will be standardized and none will be permitted to remain subnormal, parasitic, placing great and continuing burdens upon charity, public and private. With the leveling-up of wages in

great industries, an indispensable next step will be taken, and a burden will be lifted which charity has borne with patient tolerance a century too long. The Conference of Charities and Correction, through the organizations represented in it, will have to correct those industries whose wholesale human by-product is poverty. This will be the work of correction characteristic of *our* century, rather than, as in the nineteenth century, mere effort to reform reformatory agencies.

The Consumers' League has adopted a ten-year program for work for short hours, long education, and minimum-wage boards. We have slowly become convinced that low wages produce more poverty than all other causes together.