

14 Charles Lane  
New York, N.Y. 10014  
May 19, 1975

TO BRANCH ORGANIZERS, TRADE UNION DIRECTORS, AND  
CLUW ACTIVISTS

Dear Comrades,

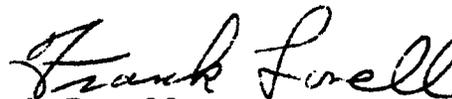
Enclosed is a copy of a draft resolution we hope to strengthen and support at the NCC meeting of CLUW in Houston, May 30.

This is an original draft previously forwarded to some NCC members for comments and suggestions. To date we have received no responses, but we expect this issue to be on the agenda of the NCC meeting; therefore, we are anxious to have our position clearly defined.

Also enclosed for comparison is the counter-position of the AFL-CIO bureaucracy, adopted by the Executive Council on May 6, 1975.

This material is forwarded for your information prior to our fraction meeting in Houston which Linda will attend.

Comradely,



Frank Lovell  
SWP National Office

Resolution on Discriminatory Layoffs and  
New Attacks on Affirmative Action Programs

- Whereas: The current economic crisis has brought massive layoffs, adversely and disproportionately affecting newly hired women and minorities who recently won jobs in industry under court-ordered affirmative action programs; and
- Whereas: These massive layoffs threaten to wipe-out the gains of the civil rights movement and women's movement against discriminatory hiring practices; and
- Whereas: The seniority system, which developed under the discriminatory hiring practices of the employers, is used in the present economic crisis to lay off the last-hired workers, which includes in many instances all those hired under affirmative action programs and in all instances a disproportionate number of women workers; therefore, be it
- Resolved: That the Coalition of Labor Union Women oppose in every way possible any reduction through layoffs in the proportionate number of women and minority workers hired under affirmative action programs, wherever layoffs occur, and be it further
- Resolved: That we urge all unions to endorse our position and support the continuing struggle against discriminatory hiring practices and for the equal rights of women and minority workers who have been and are excluded from jobs because of race and sex.

The seniority system is a cornerstone of the American labor movement. It is the worker's answer to arbitrary decisions by management in determining employment rights and promotion priorities.

Because seniority translates length of service into a vested right, it is a tangible asset for any worker. Next to the union card itself, seniority is a worker's most valued possession. Seniority is a contractual right, and, as such, is indivisible.

Today, with unemployment mounting daily, the seniority system is under attack, not for what it does but for what it does not do. The seniority system is being blamed for social conditions, particularly discrimination in hiring, that it did not cause.

In an effort to limit the economic consequences of the downturn, some unions have negotiated collective bargaining provisions providing incentives for senior employees who wish to do so to elect layoff or early retirement, thereby providing work opportunities for junior employees. Some unions, through voluntary agreements, reached through collective bargaining, have provided for the sharing of reduced work by all employees in the unit during a temporary emergency period, in preference to laying off any, when that course maximized the economic-yield to the group as a whole.

As contrasted with these voluntary solutions there have been calls for the destruction of the seniority system and the creation of "phantom seniority" or the imposition of forced work sharing. Some federal, state and local agencies have suggested their readiness to prescribe regulations for guidelines for such programs.

Those who tout "phantom seniority" for an unidentified class or group of workers or prospective workers would place upon other workers the full burden of correcting the effects of discrimination they did not cause.

Those who tout forced work-sharing without regard to seniority would visit the full cost of economic recession upon employees, with the result that workers as a group would receive a smaller share of the national product than they enjoy even under the less than adequate programs presently in force.

There may be particular situations in which work-sharing may maximize the economic yield to the work-

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Excerpts from the AFL-CIO Executive Council statement on Seniority and Layoffs, Washington, D. C., May 6, 1975. Published in AFL-CIO News May 10, 1975.

force, but that fact simply highlights the importance of leaving the decision as to work-sharing a voluntary one, to be adopted when the parties most familiar with its potential impact on a particular workplace see it as the most rational solution.

In some quarters, work-sharing has been championed as a device to prevent the disproportionate layoff of minority employees. Those who make this contention obviously are not familiar with the patterns of minority employment in American industries. In most American industries substantial numbers of minority employees have been employed -- and those employees thus have a substantial investment in the utilization of plant seniority as the determinant of who will remain at work during periods of economic downturn. According to Commissioner of Labor Statistics Julius Shiskin, the best evidence available is that white male workers and black male workers have been hit by layoffs about the same in the current recession, and that men have been hit harder by layoffs than women. Thus, work-sharing harms the interest of all workers equally.

The American workers, regardless of race, do not think it inequitable that the more senior workers are protected in times of layoff, nor would they think it equitable that those workers be forced to surrender a portion of work to junior employees whose needs may be less, whose opportunities for securing other employment are greater, and whose investment of labor in the enterprise has been shorter.

Trade unions are made up of young and old, men and women, whites, blacks and other minorities. One of the principles which all these groups and indeed most Americans have accepted is that the longer service employee has priority in job allocation. Forced work-sharing violates that principle. It is nothing more than "poverty sharing." By forcing all workers to share the brunt of economic downturn, work-sharing inevitably would tear apart the solidarity necessary to achieve real economic gains for all workers.

In sum, unemployment is a social problem, just like discrimination. Both must be corrected; it is not an either-or proposition.

Therefore, we reject the spurious notion that the seniority system must be destroyed just when it is needed most to protect all workers, without regard to race or sex. The AFL-CIO will continue to support every valid effort to protect workers threatened by the current recession while opposing any and all efforts to weaken or dilute the seniority system -- be it by legislative action, court decision or administrative fiat.

We repeat what we have often said: Full employment is the only solution to unemployment and to discrimination. And we will not stand idly by while a few would pit worker against worker for the right to be employed.