

"A PAPER FOR ALL WHO TOIL"

Official Organ of the Building Trades Council of Cincinnati and Vicinity

Vol. III. No. 18

CINCINNATI, OHIO, AUGUST 21, 1915

One Dollar a Year

Ohio Workmen are Fighting To Hold Advantage Gained Through Compensation Law

Statute in Favor of Labor Endangered by Recent Ruling of State Insurance Superintendent—Secretary Donnelly Points Out Advantages of Law Over Old Form of Liability Company Policies.

(By Thos. J. Donnelly, Sec.-Treas. O. S. F. of L.)

Workmen's compensation insurance in America is one of the new features in the insurance field. While workmen's compensation laws have been in operation in Europe for some years, they are very dissimilar in their methods of placing the cost, in those of collection, distribution and guaranteeing of payment to the injured workers or the dependents of those killed in industry. These differences are to some extent the result of racial temperaments, methods of production, social and economic conditions.

In America the workmen's compensation legislation likewise displays a difference in collection, distribution, etc. This difference in America, however, is largely the result of judicial interpretations of State constitutions and the activities of the liability and other insurance interests who, finding that organized labor had won its battle for the recognition of the new principle of workmen's compensation, exerted every effort to prevent State control, and admitting that they knew nothing about making rates for writing workmen's compensation, yet insisted on the laws being framed so that this business be turned over to them to extract a profit therefrom.

Organized Labor has opposed the old method of employers' liability and advocated the new idea of workmen's compensation insurance, compulsory upon the employer, the creation of a State insurance fund, collected, administered and disbursed by the State, because Labor was seeking some degree of social justice for the injured workers and the dependents of those killed while producing wealth for a daily wage. The old method brought into existence the business of liability insurance, involving lawsuits, etc., and which resulted in thousands of injured workers being thrown upon the charity of society, and the dependents of these and those killed while employed, forced to endure the hardships of poverty because of the loss or impairment of their natural and logical bread winners.

Some Large Verdicts.

True, some large verdicts were had from time to time in the courts, but for every verdict for damages secured by a worker, thousands lost their cases because of the assumed risk, fellow-servant and contributory negligence defenses of the employers and liability insurance companies. Then again, Labor realized the privation endured by the injured worker and his family while the weary months dragged by, pending a hearing of his case, with its too frequent appeal to a higher court, only if won, to be compelled to give at least one-third to his attorney, who had taken his case for a contingent fee. Organized Labor demanded that a system be enacted into law tending to abolish lawsuits and providing for an equitable method of payment for injuries and death of workers, eliminating all chance, and guaranteeing such payments in all cases.

Labor said that the industry should bear the cost of production (including in this industrial acci-

dents), and that this cost could be best determined by eliminating the element of profit, making the care of workmen's compensation a State function and an absolute State monopoly.

This, the insurance interests have combated by every means known to rich and powerful corporations. Where Labor has been strong, as in Ohio, it has met with success in the enactment of laws making workmen's compensation a State function and State monopoly. In States where the insurance interests were successful, the State simply calls for workmen's compensation and turns the employers and employees over to the tender mercies of the insurance companies. In other words, the State says to its citizens, "you must," and then turns them over to private enterprise to extract profit.

Enact Compromise Laws.

In other States, where Labor has been stronger, compromise propositions have been enacted, either providing for segregation of funds or the optional plan of compulsory workmen's compensation—that is, the employer may carry his own insurance and pay his employees direct, or he may insure with the State or the insurance companies. The segregation of funds, by which the monies received from the different classes of industries are kept in separate funds has a weakening effect upon the solvency of the State funds, while insurance companies are not compelled to adopt this method, placing the State at a disadvantage in the making of rates. In those States having the optional feature, the insurance companies adroitly include the right of employers to carry their own compensation or insure with the companies or the State.

The number of employers financially able to take care of these risks is always small in proportion to the number coming under the terms of the law, but this sop is thrown out to enlist the support of the employers for the whole plan and give plausibility to the insurance companies' arguments. Such laws place the State at a disadvantage because of the unfair conditions imposed upon the State in competing with the insurance companies.

This fact must always be remembered: **The insurance companies, by participating in the business, can take what part of it will prove profitable to them, leaving the State to carry the more hazardous industries.** This system eventually raises rates and enables the insurance companies to put out their well-known arguments against the State conducting an insurance business. When this contention is won, these companies then have both the employer and employe at their mercy, charging what rates they please and escaping the payment of claims for compensation wherever possible.

A compulsory compensation law with the State absolutely eliminated in the writing of insurance is the ideal of liability insurance companies. The first step to this end is competition with the State. This privilege is worth millions of dollars to them, and no doubt is highly appreciated wherever received.

PAINTERS END STRIKE.

Chicago.—The painters have accepted the agreement made between their representatives and employers, and the four months' strike is at an end. The contract runs for three years and includes the union shop, wage increases and provisions for settling future disputes through arbitration.

STATE UNIONISTS TO MEET.

Omaha, Neb.—Officers of the State Federation of Labor have issued a call for the eighth annual convention of that organization to be held in this city, beginning Tuesday, September 14.

LABOR LAW FORCES CHANGE.

Des Moines, Iowa.—The new child labor law, which took effect last month, is forcing laundries in this State to change their working systems because of a provision that no girl under 21 years of age shall be employed at any occupation where she will be required to stand on her feet continuously.

FIGHTING THE WHITE PLAGUE.

Madison, Wis.—Both branches of the State legislature have approved a bill providing State aid of \$100,000 the first year and \$125,000 each year thereafter for county tuberculosis sanatoria and directing that each institution admit cases of incipient tuberculosis.

March Line Decided for Labor Day

The line of march for the Labor Day parade as decided upon by the executive boards of the Building Trades Council and the Central Labor Council was announced Tuesday night at a meeting of the Central Labor Council in Teamsters' Hall.

The procession will start at 9:30 o'clock in the morning at Findlay and Race streets. It will go south on Race street to Twelfth street; east on Twelfth street to Main street; south on Main street to Fifth street; west on Fifth street to Walnut street; south on Walnut street to Fourth street; west on Fourth street to Plum street; north on Plum street to Ninth street; east on Ninth street to Walnut street; north on Walnut street to Court street, where it will be reviewed by the Grand Marshal and his staff, and then will disband.

More than 25,000 marchers and 24 bands will be in line. A meeting of the general committees of all the local unions that are going to participate in the parade will be held at 10 o'clock Sunday morning at Teamsters' Hall to select the Grand Marshal and his aids.

Joseph Meyung, Business Agent of the Barbers' Union, was selected as delegate to represent the Central Labor Council at the Ohio State Federation of Labor Convention at Mansfield October 11. It was announced that memorial services in commemoration of the death of Joseph Heberle, a teamster and father of the free school books idea in the schools of Ohio, would be held Sunday evening, September 12, at Teamsters' Hall, Heberle died September 12, 1907.

Machinists to Demand 8-Hour Day

Washington.—Cincinnati will be a center next week of the greatest war for the eight-hour-day ever waged by organized labor.

While officers of the International Association of Machinists, in conference here, gave out statements tending to keep down public alarm, those in close touch with the situation said that nothing is more certain than that there will be in the near future a general strike of the machinists of the United States unless employers grant the demand for the eight-hour-day.

Local organizations of machinists probably will begin presenting their demands to employers next week. The crisis in the situation will come Monday when the officials of the metal trades department of the American Federation of Labor will meet in Washington.

These officials, representing 300,000 dues-paying members, will certainly, it is predicted, vote to sustain the machinists in any action they may take.

This will include the payment of strike assessments in case of a general walk-out of the machinists.

TO SEARCH DELEGATES FOR UNION LABEL

Delegates to the local Central Labor Council will be subject to investigation of the Union Label Committee hereafter. This decision was reached at a meeting of the council in Teamsters' Hall after a heated discussion in which it was brought out that Cincinnati unionists do not adhere to the policy of strict unionism.

William Prout, Harry Schreiber and Ely Polack were appointed a Union Label Committee following unanimous adoption of a motion to the effect that it will be the duty of the committee to search the clothing of any delegate for the union label. In the event a delegate is found not wearing a union-made garment he will be made the victim of ridicule in open council.

Whether or not a different committee will be appointed to investigate the garb of the women delegates was not determined.

LONGSHOREMEN RAISE WAGES.

San Pedro, Cal.—Members of the Longshoremen's Union have secured a wage increase as the result of conferences with employers.

Reports of Allied Interests of Building Trades Council at Regular Weekly Meeting

Business Agent Fred Hock Reports Matters of Material Interest to Members of the Council.

At the regular weekly meeting of the Building Trades Council several matters of minute importance were laid before the attention of the executive body, several of which demanded immediate attention. Fred Hock, General Business Agent, made an advisory report which embraced the adoption of a governing committee which should be instructed to report conditions as they exist, and advised that a committee be named to investigate such complaints as were entered before the Council.

This committee will be required to report back to the Council next Thursday evening, at which time President Joseph A. Cullen will be called upon to determine whether or not the various contracting companies should be declared unfair.

President Cullen, during the course of

his introductory remarks outlined the fact that during the past week he had visited the Mecca Saloon, where he had discovered that an electric sign had been installed by a firm unfair to union labor.

Mr. Cullen declared he had placed this matter before the attention of William Bodemer, proprietor of the Mecca Saloon with ultimate assurances that the evil would be immediately corrected.

Later on his visit to the Mecca Saloon President Cullen discovered that Mr. Bodemer had not only employed non-union men to place a non-union sign, but that he utterly failed to acquiesce to any of the requirements pertaining to unionism—consequently the president of the Building Trades Council asked that the Mecca Saloon be placed on the unfair list until such time as Mr. Bodemer should agree to respect organized labor.

BAR JUDGE HILLYER IN COLORADO RIOT CASES

State Supreme Court Forbids Him to Preside, Saying He is Prejudiced.

Denver, Col.—Judge Granby Hillyer was forbidden by a writ of the State Supreme Court to preside at any future trials growing out of the strike riots by the Colorado Fuel and Iron Company's employes in the spring of 1914.

This decision is regarded by the lawyers of the United Mine Workers of America as a distinct blow at John D. Rockefeller, Jr. and his fellow managers of the coal and iron mines.

In effect the court's decision stated that Judge Hillyer's mind is not equally balanced between employes and employers.

Besides, the Supreme Court granted a stay to John R. Lawson, a labor leader, sentenced to life imprisonment as guilty of being an accomplice in the death of three men during the riots. Judge Hillyer presided at Lawson's trial.

The court reserved decision on Lawson's plea that he be freed on bail pending the final decision.

Chief Justice W. H. Gabbert and Justices James E. Garrigue and Justice S. H. White.

The motion was based mainly on the allegation that Judge Hillyer was formerly an attorney for the Colorado coal mine owners and was therefore prejudiced against the accused strikers. It was charged that the mine owners employed a force of attorneys and detectives to secure convictions of strikers, and that Granby Hillyer, before his appointment as judge, belonged to this force.

Said the court in its decision: "We are certain from the facts alleged that a reasonable person might very properly conclude that, because of Judge Hillyer's interest and activity in a cause of similar character against active associates of the relators, he has, within the meaning of the law, a bias or prejudice that would in all probability prevent him from dealing fairly with the relators as defendants."

VIOLATE CLERKS' RULES.

Zanesville, O.—As a preliminary to drastic action, if necessary, the Retail Clerks' union announces that certain stores in this city must cease violating the early closing rule.

TO RAISE WHITE WINGS' PAY.

Washington.—Renewed efforts will be made during the coming session of Congress to obtain wage increases for workers employed in the District's cleaning force. Last year the commissioners of the District of Columbia provided in their estimates for an increase in the salaries of these employees from \$1.50 to \$1.75 a day, but the item was not included in the appropriation act.

DEFENDS SEAMEN'S ACT

Redfield Holds It Would Not Injure Pacific Mail Fleet.

Washington.—Department of Commerce officials took issue with statements that the sale of the Pacific Mail steamships to the Atlantic Transport Company was necessary because the Seamen's act would render their operation on the Pacific unprofitable.

The assigned reason for the transfer of the ships was that under the act as to employment of foreigners, and especially Chinese, the cost of operation would be so increased that the vessels would be run at a loss. This, Secretary Redfield denies, and attention was called to regulations issued during the past week as to the matter of language and the ability of members of the crew to understand orders, as supporting his contention.

Mr. Redfield holds that it is not necessary under the act that a seaman be able to speak English fluently or at all if he understands ordinary words of command on board ship, and this, he said, was something that could be quickly determined in an adequate test. The Secretary has asserted that the real reason for the position taken by the Pacific Mail Company was that the Panama Canal act, barring the vessels of corporations owned by railroad companies, stood in the way of the plans of the company, and that it was entirely practicable for the company to continue in business on the Pacific under the Seamen's act.

It had been expected here among shipping experts for months that the vessels of the Pacific Mail would be sold to an Eastern corporation and continued under American registry. This corporation being free from the condition that confronts the Pacific Mail as a railroad-owned corporation will be able to enter into competition with lines using the Panama Canal in trade between New York and the Orient, which the Pacific Mail could not do.

A STIRRING APPEAL.

Melbourne, Australia.—Under the caption "Be a Unionist, Body and Soul," the Labor Call of this city says:

"If you don't want to be trodden on, join the union."

"Do you want to be well fed, well housed, well clothed and well read? Join the union! Do you want to help your mates along? Join the union! The monopolistic press and the monopolist may tell you that such desires are vicious, but, instead, it is need of things necessary and good that makes men vicious. Where wages are highest, there will be found the most prosperous nation and the most contented people. There will education be the most generally diffused. There will morality be the purest; there will patriotism be the most profound. Help to make your country prosperous; help to liberate mankind. Join the union! Swear by the union! Work for the union!"