THE UNITED MINE WORKERS OF AMERICA

A Tarnished Titan's Fight for Survival

Diane L. Barts

June 1, 1971
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INTRODUCTION

Since December 30, 1970 at least forty-seven men have been killed in mining accidents. On the above date, thirty-eight miners lost their lives in an explosion in a Finley Coal Co. shaft at Hyden, Kentucky. Federal inspectors who had visited this mine earlier in the year had found several safety violations involving "imminent danger" and the mine was ordered closed. These violations were supposedly corrected and the mine was reopened, but how really safe was this mine?1

Three months later on March 26 two men died when the Buckeye Coal Co. mine near Nemacolin, Pennsylvania, erupted in flames. It was reported that the shaft was ignited by a compressor which caught fire. A total of twenty miners were trapped, but fortunately eighteen escaped.2

Golconda, Illinois, was the site of yet another accident which claimed the lives of seven miners. In this instance a lethal level of hydrogen sulfide gas and insufficient ventilation seems to have caused the deaths.3

1South Bend Tribune, December 31, 1970, p. 4.
These forty-seven dead represent the sensational, the newsworthy accidents which happen all too frequently in what for hundreds of years has been the world's most dangerous occupation. They, however, fail to include a larger body of men who are killed or maimed each year by such hazards as roof falls, equipment accidents, and pneumoconiosis or "black lung." The safety regulations which were supposedly protecting these miners have been preached, investigated, and legislated, but never enforced.

Where in the midst of all the tragedy is the United Mine Workers of America? Surely an outraged union which historically has defied management, legislators, and even presidents to achieve its ends could improve the plight of miners in the United States and Canada.

The problem lies in the fact that the UMW not only fails to be outraged by the conditions of the rank-and-file miner, it often fails to show even elemental concern. A union is established to protect the rights of its members and to improve their position in relation to management. By failing to take action in the face of these recurring accidents, many of which could have been prevented, the union is failing to protect one "unalienable right" which has been set down in
the Declaration of Independence, the right to life.

The decades of the 30's and 40's saw the UMW become this country's most powerful union and a vanguard in the movement to organize labor. The 50's and 60's, on the other hand, have brought an ill wind to the Union. With the retirement of John L. Lewis in 1960, the UMW lost much of its power and prestige. The union's decline seems to have been recently climaxed by marked internal dissension and a growing number of law suits charging among other things embezzlement, conspiracy, and illegal political contributions.

This paper is not intended to be merely an indictment against the United Mine Workers of America; rather it is an attempt to explore the strengths and weaknesses of the union today in an effort to explain why the UMW has slipped from a place of national preeminence into valleys of corruption, violence, and deception. Internally the union is plagued by the stench of the 1969 presidential election, by the activities of splinter groups which seek to purge the UMW of all its iniquities, and by a leadership which no longer possesses the miner's trust. Externally deception has blunted the sword of union veracity in legislative and executive circles, while efforts concerning the judiciary have changed from those of
lobbyists to those of lawyers. Even a corrupt union is better for the miners than no union at all, but now that the facts are being honestly set forth, it is inexcusable for the American people to allow the present circumstances to continue.
PART I. THE ORGANIZATION
From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors ensues a division of the society into different interests and parties.¹ -- James Madison

THE ORGANIZATION STRUCTURE

David Truman in his book The Governmental Process divides political organizations into two basic forms: unitary (generally subdivided organizations) and federated (organization of organizations). The United Mine Workers is based on the unitary form being a single organization that may, and usually does, have subdivisions to carry on various functions of stages of functions. Membership is directly in the parent group, and derivative participation in the activities of subdivisions depends upon geographical location, occupational specialization, and so on.²

The union is subdivided geographically into twenty-five districts which encompass the major coal mining areas in the United States and Canada. With the exception of District 8, all are headed by a president and secretary-treasurer. (Chart I)


<table>
<thead>
<tr>
<th>District</th>
<th>President</th>
<th>Vice President</th>
<th>Secretary-Treasurer</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 2</td>
<td>Owen Slagle, 521 W. Horner St., Greensburg, Pa. 15601</td>
<td>John Lease, 521 W. Horner St., Greensburg, Pa. 15601</td>
<td></td>
</tr>
<tr>
<td>District 4</td>
<td>Peter Phipps, 608 Herr Ave., Cadiz, Ohio 43907</td>
<td>Thomas Williams, Ronald C. Owens, Rm 702, 85 S. Gay St., Columbus, Ohio 43215</td>
<td></td>
</tr>
<tr>
<td>District 5</td>
<td>Francis McCallister, 230 Penn Ave., Pittsburgh, Pa. 15222</td>
<td>Sam Michelle, 299, Ranton, Wash. 98055</td>
<td></td>
</tr>
<tr>
<td>District 6</td>
<td>Ernest Godd, 301 N. Eighth St., Terre Haute, Ind. 47808</td>
<td>Kenneth T. Wells, 620 N. Fifth St., Springfield, Ill. 62701</td>
<td></td>
</tr>
<tr>
<td>District 7</td>
<td>Joseph Shannon, Post Office Box L.N., Herrin, Ill. 62940</td>
<td>Henry Allai, Box 436, 317 Professional Bldg., Pittsburg, Kan. 66762</td>
<td></td>
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<tr>
<td></td>
<td>Denver, Colo. 30722</td>
<td></td>
<td>Denver, Colo. 30722</td>
</tr>
<tr>
<td>District 18</td>
<td>M. P. Glasser, 511 Leboe Bldg., 237-</td>
<td>District 19</td>
<td>William J. Turnbull, Albert Pass, Box</td>
</tr>
<tr>
<td></td>
<td>7th Ave., S. ,</td>
<td></td>
<td>150, Middlesboro, Ky.</td>
</tr>
<tr>
<td></td>
<td>Calgary, Alberta, Canada</td>
<td></td>
<td>10665</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Middlesboro</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7th Ave., S.</td>
</tr>
<tr>
<td>District 21</td>
<td>Donald L. Lawley,</td>
<td></td>
<td>Lee Roy Patterson,</td>
</tr>
<tr>
<td></td>
<td>310 Carnell St., Post Office</td>
<td></td>
<td>1359, Fort</td>
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<tr>
<td></td>
<td>Box</td>
<td></td>
<td>Smith, Ark.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>72301</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District 23</td>
<td>Lee Roy Patterson,</td>
<td></td>
<td>Donald J. Lawley,</td>
</tr>
<tr>
<td></td>
<td>510 Carnell St., Post Office</td>
<td></td>
<td>310 Carnell St., Post Office</td>
</tr>
<tr>
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</tr>
<tr>
<td>District 24</td>
<td>Louis Austin, Box 30, Pad</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Madisonville, Ky.</td>
<td></td>
<td>1359, Fort</td>
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<tr>
<td></td>
<td>19361</td>
<td></td>
<td>Smith, Ark.</td>
</tr>
<tr>
<td>District 25</td>
<td>Albert Thomas,</td>
<td></td>
<td>Donald J. Lawley,</td>
</tr>
<tr>
<td></td>
<td>23 W.</td>
<td></td>
<td>310 Carnell St., Post Office</td>
</tr>
<tr>
<td></td>
<td>Broad St., Charleston, Pa.</td>
<td></td>
<td>Box</td>
</tr>
<tr>
<td></td>
<td>10301</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District 26</td>
<td>John W. Balchey, 340 King</td>
<td></td>
<td>Lee Roy Patterson,</td>
</tr>
<tr>
<td></td>
<td>Edward St., Glace</td>
<td></td>
<td>1359, Fort</td>
</tr>
<tr>
<td></td>
<td>Bay, N. S., Canada</td>
<td></td>
<td>Smith, Ark.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1359,</td>
</tr>
<tr>
<td>District 27</td>
<td>L. J. Bylde, Box 127, Billings, Mont.</td>
<td></td>
<td>L. J. Bylde, Box 127,</td>
</tr>
<tr>
<td></td>
<td>59103</td>
<td></td>
<td>Billings, Mont.</td>
</tr>
<tr>
<td></td>
<td>Billings, Mont.</td>
<td></td>
<td>1359,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>S., Canada</td>
</tr>
</tbody>
</table>
INT. EXECUTIVE BOARD MEMBERS

District 26 - Carson Hibbitts, Box 511, Norton, Va. 24273

District 28 - Jack C. Gillen, Box 511, Boiling Springs, S.C.

District 30 - C. L. Davis, Citizens Bank Bldg., Box 2063, Big Stone Gap, Ky. 41501

District 31 - Cecile J. Urban, Box 312, 602-11th First National Bank Bldg., Fairmont, W. Va. 26554

INTER-UNITIONAL OFFICERS


Alfred Leno, Clarksville, Pa.

Ren Scacco, Waynesville, N.C.

INTER-UNITIONAL TAILORS

George Hollar, Unisource, Pa.


UNITED MINING WORKERS JOURNAL

Justin McCarthy, Editor

Rex Lauck, Assistant Editor

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These districts are again subdivided into over 1,000 local branches which bring union control to a more intimate level.

Internationally, there is an executive board which is composed of individuals from the various districts, a secretary-treasurer, a vice president, and a president. The real power in the union is vested in the latter. This phenomenon has come about primarily through usurpation and a tradition of strong leadership, primarily in the form of John L. Lewis who has set most of the union's precedents.

The United Mine Workers and its president, W. A. (Tony) Boyle, exercise a strong hold over the individual districts. The red asterisk (‡) in Chart I denotes those districts in which one man holds all three important offices: president, secretary-treasurer, International Executive Board member. This occurs in seven out of twenty-five districts (28%). One of these men, R. J. Boyle of District 27, is the brother of union president Tony Boyle. Also, it is curious that the secretary-treasurer of District 19 who comes from Middlesboro, Kentucky, could represent District 20 on the International Executive Board considering that the other officers from that district are from Birmingham, Alabama.
Lewis maintained political control of the union by appointing most district presidents instead of allowing district elections. Although rank-and-file members have been pleading for district "autonomy" for decades, Boyle has kept Lewis' system; only four of twenty-three district chiefs are elected.3

In the late 1930's John L. Lewis established the "problem child" of the UM&SW, District 50. At that time Lewis was breaking away from the CIO; he sought an organization which would rival its power. Therefore, he created District 50 as a "catch-all" union for non-miners. Its original jurisdiction was to cover coal by-products such as gas, chemicals, and coke. However, through District 50 Lewis went as far as to try to organize the dairy farmers in 1942, but this attempt failed.4

Today, under the title of the International Union of District 50, Allied & Technical Workers, District 50 is having trouble with censure from not only the UM&SW but from other labor unions. In 1959 the Landrum-Griffin Act was passed; this provided for democratic procedures to be used within unions. As a result, District 50, which had previously had its leaders

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3 The twenty-three districts referred to omit the two districts in Canada. "Lewis Heir Faces Revolt," Business Week, November 15, 1969, p. 110.

appointed by the UMW and whose members were not given voting privileges, became an autonomous body responsible for electing its own officials. Its primary influence was felt in the areas of chemicals and utilities. Under the leadership of Elwood Moffett, District 50 moved into atomic energy which has long been opposed by the UMW. This caused a split which led to the expulsion of the district in 1968. Now not only the UMW, but also unions such as the AFL-CIO are working against any further expansion plans of District 50.5

The full magnitude of this controversy can be seen by the fact that both parties have resorted to the judicial system in an attempt to settle past problems. A suit has been filed in the U. S. District Court ("International Union United Mine Workers of America v. District 50, United Mine Workers of America") in which the UMW seeks to collect $8-million from District 50. This debt supposedly incurred when officials of the District signed a promissory note for the sum which was intended to help organize the newly independent district, according to the records of the Landrum-Griffin Act. Moffett agrees that the note was signed, but that it was "falsely and

fraudulently set forth." Also included in the same case is a
countersuit brought by District 50 for what it claims is its
"share" of $250-million which it maintains is the net worth of
the UMW. This court battle has forever ended the dream John L.
Lewis held for District 50 nearly thirty-five years ago.⁶

⁶"UMW's Family Fight," p. 96.
In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly open, cultivate and improve. Every government degenerates when trusted to the rulers of the people alone. The people themselves therefore are its only safe depositories.

--Thomas Jefferson

UNION ELECTIONS

There is no doubt that the oligarchic and nondemocratic nature of group organization actually helps strengthen interest groups. For a group to accomplish its objectives, its organizational apparatus has to perform essentially representational functions. Its leaders must articulate and often define the positions of the interest group. Carrying out this responsibility requires a considerable degree of competence, expertness, and experience on their part.¹

Although Mr. Holtzman is basically correct in his assumption that a large group cannot function truly effectively in an atmosphere of total democracy, his argument could be greatly strengthened by adding integrity to his triad of "competence, expertness, and experience." The "germ of corruption" to which Thomas Jefferson refers is an ever present factor which must be kept in constant check. Failure in this respect can easily place too much power in too few hands and fast change oligarchy to totalitarianism. This is the unfortunate

situation which now confronts the United Mine Workers.

By examining the election processes of the UMW, the corruption which springs from an over-centralization of power can be graphically shown. Aside from the obvious disfranchisement of miners in the many districts where their officials are appointed rather than elected, the presidential election of December, 1969 provides the best case of Union manipulation.

In 1920 John L. Lewis was elected to the union presidency. For almost half a century thereafter no serious challenger came forth to threaten either Lewis' incumbency or that of his heirs. On May 29, 1969, however, Joseph A. "Jock" Yablonski announced his candidacy for the $50,000 a year job and the string was broken.

Yablonski has for many years been steeped in the union hierarchy. For eight years he was president of District 5 which is located in southwestern Pennsylvania around Pittsburg. Later, he became director of Labor's Non-Partisan League, the

2"When Lewis was acting president of the union his salary was $3,000. Immediately after taking office, he raised it to $5,000 a year. One year later it was raised to $8,000. Subsequently, it mounted to $12,500, then $25,000, and now is an annual salary of $50,000." Alinsky, Lewis, p. 36.
political branch of the union. After his candidacy was announced, however, he was fired from this position. Nevertheless, he still retained his seat on the International Executive Board as an elected representative from District 5, and it was through this that he intended to wage his campaign against union corruption. "'I participated in and tolerated the deteriorating performance of this leadership,' he said, 'but with increasingly troubled conscience. I will no longer be beholden to the past.'" 3

Chart II 4 presents information which proved to be the grounds for two of the major issues of the campaign, nepotism and misappropriation of funds. This evidence, which was released by the Department of Labor, comes from the financial reports filed by the UMW, in accordance with the Landrum-Griffin Act. Tony Boyle was the one who was primarily under fire when these figures were released. The reports showed that almost $139,000 in salaries and expenses was listed as paid to Boyle and two members of his family. Also, he is reputed to


## Chart II

### Salary Controversy

<table>
<thead>
<tr>
<th>Name</th>
<th>Salary</th>
<th>Expenses</th>
</tr>
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<tr>
<td>E. A. (&quot;Tony&quot;) Boyle</td>
<td>$20,000</td>
<td>$11,630</td>
</tr>
<tr>
<td>President of UMW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antoinette Boyle</td>
<td>$10,000</td>
<td>$3,288</td>
</tr>
<tr>
<td>An attorney</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daughter of Tony Boyle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R. J. Boyle</td>
<td>$25,000</td>
<td>$68,975</td>
</tr>
<tr>
<td>Brother of Tony Boyle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Joseph (&quot;Jock&quot;) Yablonski</td>
<td>$25,000</td>
<td>$15,246</td>
</tr>
<tr>
<td>Member of Executive Board</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leon Yablonski</td>
<td>$11,000</td>
<td>$10,437</td>
</tr>
<tr>
<td>Brother of Jock Yablonski</td>
<td></td>
<td></td>
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have raised the salaries of some other union members "without prior approval or subsequent ratification by the international executive board." In addition to Boyle, John Owens, the UMW's secretary-treasurer and two of his sons were listed on the union payroll as receiving almost $128,000 in salary and expenses during the year 1967. The Labor Department has referred these financial reports to the Justice Department and the Internal Revenue Service so that they may take any appropriate action that they deem necessary. Boyle decried this action as a movement by the Government to control labor fronts and the internal affairs of unions.5

As a result of the accusations made against him, Boyle countercharged that Yablonski was also guilty of nepotism and financial excesses. Yablonski's expenses of $15,246 were the largest in the union according to the union financial reports. Also, he and his brother, Leon who is an international representative or organizer, are credited with total salaries and expenses of over $61,000. According to Yablonski and his campaign staff, this showed that he had been "working hard,

going around the country organizing—not just sitting around Washington like Boyle."\(^6\)

Also in question is the establishment of a special fund to finance the retirement of top union officials. In 1960, $850,000 was supposedly transferred from the union treasury into an "agency fund." Since that time the figure has grown to $1,500,000.\(^7\) There are three men who would benefit from this fund: Boyle, George Titler, and John Owens. These men would retire, with the help of this fund, at full salary. It is ironic that the miners who initially paid their money into the treasury will retire at $150 a month while Boyle's pension is $50,000 a year. This fund is under investigation, too, because it has not in the past been adequately disclosed in the union's financial reports.\(^8\)

According to the UMW's constitution, a local must have a minimum of ten active miners. In almost half of the more than 1,000 locals, however, this is not the case. These "bogus"

\(^6\) "Pay Padding," p. 102.

\(^7\) Armbrister, "Shame of UMW," p. 137.

\(^8\) "Mine Workers: Can They Survive Reform?" Business Week, December 20, 1969, p. 32.
locals, although illegal, still flourish, thanks to the union leadership. As a result, union pensioners have an inordinate amount of power. For example, a local of six pensioners could command the voting and nominating authority of a legal local with a membership of several hundred active miners. For the $1.25 a month ($.25 goes to the local and $1.00 to UMW headquarters) the UMW collects in dues, a pensioner is eligible to be a convention delegate and vote in elections. One of Joseph Yablonski's primary goals, if elected, was to do away with these "dead" locals.9

Although $1,800 a year does not seem to be a very large sum today, to a pensioner it can easily be his whole world. By using the pension as a tool, a union leader can often control the pensioner vote; this was the method employed by Tony Boyle. On June 11, 1969, John L. Lewis dies. On June 24 Boyle succeeded Lewis as the chief executive and one of the three trustees of the union's Welfare and Retirement Fund which as of June 30, 1970 had an unexpended balance of $151,088,014.37 according to their annual report (p. 19). Shortly thereafter, the union pension was raised from $115 to $150 a month

effective August 1, 1969. Of the three trustees, it is certain that Boyle voted for this change; however, the votes of the others are not quite as definite. George L. Judy, who represented management on the fund's board at the time, was told by Boyle that the third member, Josephine Roche, had given her proxy to the latter so Judy's vote wasn't really important. Judy voted for the increase. In retrospect, it was discovered that Miss Roche had never given her proxy to Boyle, and that she was, in fact, against the increase in the pension. At first, while talking to reporters, Boyle denied any complicity in the hoax; however, while under oath at a Senate Labor subcommittee meeting, he wasn't quite as adamant. "My best recollection is that I never told Judy I had Miss Roche's proxy. But if I did, it was in a joking manner and a jest." Transcripts of the testimony were sent to the Justice Department and the Secretary of Labor by the committee chairman Harrison A. Williams, Jr. (D--N. J.) because he believed that definite questions of veracity had been raised, and political motivation seemed to be evident.

With the union membership at not quite 200,000, the votes

of the almost 70,000 pensioners would be of major importance in any election. As is shown in Chart III\textsuperscript{11} the number of miners eligible for pensions has increased by over 24,000 since 1965. Of the 137,480 pensions that are authorized, payments were being mailed to 67,405 pensioners as of June 30, 1970, according to their annual report (p. 4).

Pension expenditures, on the other hand, have increased by $42,000,000 since 1966. Such an increase could not help but have an impact on the stability of the union's Fund in lieu of the fact that the sources of revenue haven't changed in approximately twenty years. Also, a fund that can be raised can also be lowered. The three trustees of the Fund (W. A. Boyle, Chairman and Chief Executive Officer, C. W. Davis, and Josephine Roche) are vested with this power as well.

The Trustees of the Fund have full authority within terms of the Trust Agreement and applicable law to determine the types and amounts of benefits and to establish eligibility requirements. All benefits are subject to termination, suspension, revision or amendment by the Trustees in their discretion at any time.\textsuperscript{12}

\textsuperscript{11}United Mine Workers of America Welfare and Retirement Fund, August, 1970, pp. 4-5.

\textsuperscript{12}Ibid., pp. 14-15.
CHART III
NUMBER OF LIVING AUTHORIZED FULL FUND PENSIONERS

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PENSION EXPENDITURES
FIVE YEAR AVERAGE
Fiscal Year ending June 30

MILLIONS OF DOLLARS

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<td>1967</td>
<td>85,926,817</td>
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<td>1968</td>
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<tr>
<td>1969</td>
<td>95,257,920</td>
</tr>
<tr>
<td>1970</td>
<td>123,075,695</td>
</tr>
</tbody>
</table>
When done with forethought and with the miners' best interests in mind, an increase in the size of pension checks is laudable; but, when it is done for political reasons, the act becomes cheap and arbitrary.

In order to have a name placed on the ballot, a candidate must obtain nominations from fifty locals. Yablonski received ninety-six nominations. This achievement, however, is a sterile figure not only because it fails to reflect the hours of hard work that were spent campaigning, but also because it fails to hint at the bitterness and violence which followed this election. The United Mine Workers Journal was used by Boyle and the union leadership as their own personal campaign tool; Yablonski's candidacy was seldom if ever mentioned. This would have a decisive effect on any union election because this is the only union paper in existence, and the miners have historically looked to it for trusted information. Finally, Yablonski sought and obtained a court injunction ordering the paper to tell both sides of the election campaign, but even this failed to keep the news from being slanted and biased. ¹³

Unfortunately, intimidation was not limited to the press

alone. After speaking at a Springfield, Illinois rally, Yablonski was struck by a karate shop on the back of the neck. Such a blow could have been fatal, but it resulted in only a partial paralysis of his left arm. Dr. Hawey Wells, used his private plane to campaign for Yablonski. While checking out his plane before flying to a rally, he discovered that leaves and pine cones had been placed in his gas tank. Also, after returning from a rally in Indiana, he and his wife returned to find their home ransacked. Furthermore, as yet unproven charges have linked Boyle with the embezzlement of union funds to finance his own campaign, the purchase of miners' votes by offering salary increases and paid trips supposedly for business purposes, and, finally, the employment of paid hoodlums who were sent to disrupt opposition rallies.

As a result of these threats, Yablonski supporters sought government help. The Landrum-Griffin Act gives the Secretary of Labor the power to investigate union elections, but no action was taken by that department when they were asked to help. The Justice Department was also approached in the hope that they would send in observers; this department chose not to intervene

as well.

On December 9, 1969, the election was held. Yablonski carried three of the union's twenty-five districts: District 6, District 17, and District 25. The final vote total stood at 81,056 for Boyle and 45,872 for Yablonski; consequently, it seemed that the incumbent president had been re-elected for another five-year term.15

Again the Labor Department was asked to intercede and impound the ballots in light of possible election law violations. One example cited was the intimidation of men who were sent to act as poll watchers; it is claimed that some had to pose as newsmen in order to get near the polling places. Also, "one local official was seen casting ballots for 30 men. Another local received only 95 ballots. Yet Boyle won by 145 to 5.16 Even in view of these allegations and countless others, the Department of Labor still refused to become involved. Finally, Yablonski and eleven supporters filed suit in Washington, D. C. charging the UMW with election fraud and the

15"Can They Survive Reform," p. 32.

16"Shame of UMW," p. 140.
mismanagement or embezzlement of $16,000,000 in union funds.\textsuperscript{17}

Joseph Yablonski was not to see the outcome of his actions to overturn the election results, however. Sometime during the forty-eight hours of December 30 and 31, he, his wife, and 25-year old daughter were slain in their home in Clarksville, Pennsylvania. All evidence points to the fact that professional killers were employed to do the job; but, as yet, no one has been able to link the crime with the top union leadership.

The prevailing theory now is that he was killed either to restrain him from continuing his protest against the union leadership or in resentment over the publicity he had already given to the alleged irregularities in the election. The fact remains that it took a dreadful climax to the controversy to arouse Government authorities to action.\textsuperscript{18}

Within a week after the bodies were found, Attorney General John Mitchell ordered the Federal Bureau of Investigation into the case at the request of Pennsylvania's governor Raymond P. Shafer, the family, and other concerned parties. This step was taken in an effort to see if the three deaths involved the federally protected rights of labor union members.

\textsuperscript{17}"Yablonski Murders," p. 37.

Also, miners in various parts of the country stayed away from their jobs to emphasize their demand for a shutdown of the nation's mines until the crimes were solved. 19

The Labor Department, under the leadership of Secretary George Shultz, took action along with the Justice Department. Two hundred investigators were sent into the Appalachian coal areas to look into the veracity of the charges Yablonski had been making against Boyle and the union leadership throughout his campaign. They finished their study by mid February and reported the results to Shultz so that the appropriate action could be taken. 20

In March, the Department of Labor asked the federal courts to set aside Boyle's re-election. The union was charged with eight counts of election fraud in accordance with provisions of the Landrum-Griffin Act. Specifically, candidates were denied the right to have observers during the election, members of the union were not given the opportunity to vote secretly, and the election was not conducted in accordance with the UMW constitution. Also, it was charged that union funds


were used to promote the candidacy of the incumbent international officials, that elections were not conducted in all locals, and finally that union records required by the Landrum-Griffin Act were not being properly maintained. Apart from the court suit, an injunction has been filed to prevent the UMW from spending any further funds until all reports required under the Landrum-Griffin Act have been filed. 21

This is not the only court action in which the union is concerned as a result of the 1969 election. The Justice Department is prosecuting in an attempt to secure elections in the nineteen districts whose officials are appointed by Boyle. Five persons, including the president of a local in Tennessee, have been charged with conspiring to kill Joseph Yablonski. 22 Furthermore, a federal grand jury in the city of Cleveland has indicted the president of a Bledsoe, Kentucky local by the name of Dillard Couch on the charge of lying while testifying on the union's financial affairs. Couch was an active member of a committee in District 19 "which Federal investigators believe was the conduit for money paid to the


killers of the Yablonski family."\textsuperscript{23}

Customarily, Americans require a martyr or a crusade before they can be moved to take action on an issue; the December, 1969 election for the presidency of the UMW was no exception to the rule. For some, legal proceedings are a welcome sight after decades of inaction. To the countless others, who are continuing to fight for the cause which Jock Yablonski espoused, the process is much too slow; for until the killers are found and the union corruption and graft eliminated, their families must live under a constant threat of further reprisal.

They believe that they can do anything, buy anybody, that they're bigger than the whole damned federal government, simply because they're John L. Lewis' heirs. They've invoked his name for 15 years while they built themselves an empire, and this is what it's come to.

--Dr. Hawey Wells, supporter of the late Joseph Yablonski

UNION LEADERSHIP

A miner's life is violent and brutal; injury and death are his constant companions in the pits while above ground he is comforted only by continual frustration and the widows and broken men who represent the realization of his own worst fears. In order to control such men and channel their drives and passions into profitable veins, a truly dynamic leadership is necessary. If this is not present, destruction and bloodshed could easily be the result, because a man who faces death every day as a matter of routine will not shy away from it when he is forced to fight for something he needs or desires.

In the thirty year span from 1890 to 1920, eight men were president of the United Mine Workers. These men fought to better the working and living conditions of the miners, but they either presented the membership with defeat, or languished in their

1"Yablonski Murders," p. 37.
victory, and as a result were deposed. This lack of a strong central control allowed individual districts to act autonomously; consequently, this brought about disunity, poor coordination, and additional failures.

When John L. Lewis was elected to the presidency in 1920, his first goal was to unify the UMW and replace the emerging federalism with the unitarianism which was intended from the founding of the union. In order to accomplish this, he had to forge an intraunion structure in which he alone held the power of leadership; this could not be done while the incumbent district officials still remained to thwart him, so a purge was initiated. In inherently weak districts or those which had been debilitated by trouble with the operators, control was easily gained by merely suspending district autonomy and placing Lewis men in the positions of power. In Nova Scotia dissident leaders were labeled by Lewis as Communists; after their charter was revoked and their autonomy suspended, District 26, too, fell in line. In some areas more drastic measures had to be taken. For example, Kansas came under Lewis' control only after its militant leaders were expelled from the union. Illinois, the center of union strength, was the final piece needed to complete the unification puzzle.
By first showing that district officials were conspiring with the operators and then linking them with corrupt practices, Illinois also fell into place, and the last major pocket of resistance was broken.  

During the forty years which John L. Lewis led the UMW, many positive gains were made. Chart IV illustrates some of the improvements that were made in such areas as wages, working conditions, and safety from 1940 to 1948. Regardless of the numerous charges which have been made against Lewis branding him as a demagogue and a tyrant, it can never be said that he did not work for the welfare of the miners or failed to secure for them many needed reforms.

Not all of Lewis' dealings could be considered above board however. He purchased a controlling interest in the National Bank of Washington which is still today one of the largest banks in the District of Columbia. By placing union funds in this bank, he could keep them tax-free and yet manipulate them in his own way. Also, he struck up a business relationship with financier Cyrus Eaton which later resulted in judicial

\[ ^2 \text{Alinsky, Lewis, pp. 51-52.} \]
\[ ^3 \text{Ibid., p. 355.} \]
<table>
<thead>
<tr>
<th></th>
<th>1940</th>
<th>NOW (1940)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HOURLY PAY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>85.7% (North)</td>
<td>$1.63</td>
<td></td>
</tr>
<tr>
<td>80% (South)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TRAVEL-TIME PAY</strong></td>
<td></td>
<td>1 Hour a day</td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>VACATION PAY</strong></td>
<td></td>
<td>$100 a year</td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LUNCH-TIME PAY</strong></td>
<td></td>
<td>61.9% a day</td>
</tr>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| **EXTRA WORK PAY** |            | 6½ on hour, 2nd shift  
| None        |                  | 6½ on hour, 3rd shift |
| **WELFARE FUND** |            |                  |
| None        |                  | $50,000,000 a year |
| **TOOLS & EQUIPMENT** |            |                  |
| Supplied by miner |            | Supplied by company |
| **SAFETY RULES** |            |                  |
| On state basis | Federal rules enforced by operator-union committee |

**STATE OF PRACTICE FOR THE ACCIDENT**
Not mandatory in some states Applies in all states

**PAY DIFFERENTIAL**
5.7% an hour lower in southern states Same rates, North & South

**OVERTIME PAY**
830 (North) - 35 hours $84.82 for 40 hours
828 (South) - 35 hours
proceedings for conspiracy and anti-trust violations. In 1961 the United States District Court of the Eastern District of Tennessee, Northern Division, found the United Mine Workers guilty of violating anti-trust laws. Trial testimony revealed not only that union money was loaned to Cyrus Eaton in exchange for his covert services as financial advisor, but also that the union was conspiring with the larger coal companies in an attempt to drive smaller firms out of business. In this particular case the smaller firm was the Phillips Brothers Coal Company. "Although hitherto all unions had been exempt from such prosecutions...the exemption does not apply when a union becomes part of ownership or conspires with its ancient enemies in restraint of trade."\footnote{Nat Caldwell and Gene S. Graham, "The Strange Romance Between John L. Lewis and Cyrus Eaton," \textit{Harper's Magazine}, December, 1961, pp. 25-26.}

In December, 1963, the United States Circuit Court of Appeals in Cincinnati upheld the federal district court decision. The UMW was ordered to pay $325,000 to the Phillips Brothers Coal Co. in damages. "The court ruled that the union conspired with large operators to put Phillips out of business and to shore up union-contract operations." This case could have even more
lasting effects in that it has opened the door for other small mine operators who have similar grievances against the union to file suit and collect damages; therefore, an additional drain could be placed on the already harassed union treasury.  

Illegal though this conspiracy may have been, it cannot be said that it was done without good cause. After World War II, coal quickly began to lose ground to gas and oil. The industry was confronted with inefficient and outdated mining methods as well as a large, uneducated labor force which continually drove up the price of coal while wages plummeted downward. Lewis and the mine operators both agreed that mechanization was the only remedy for the dying industry; it seemed wiser to decrease the number of active miners while providing those retained with higher salaries and better working conditions than to continue to employ a large labor force at barely subsistence level under poor safety standards. Although his actions were largely motivated by a desire to improve the lot of the miners he represented, Lewis' methods cannot always be condoned, nor can the possibility of ulterior motives be completely dismissed.

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After Lewis retired in 1960, he was succeeded by Thomas Kennedy who died in 1963. At that time Vice-president W. A. Boyle ascended to the top union job; he was formally elected in 1964. Both men tried to adopt Lewis' techniques and unfortunately both failed. Perhaps the cause of this failure was not so much the fault of the individuals themselves as it was of John L. Lewis. By comparing Lewis and Franklin D. Roosevelt, some interesting similarities can be seen concerning their attitudes toward successors and recorded history.

Neither Roosevelt nor Lewis would permit the development of a strong lieutenant who might become a rival and challenge his leadership. These facts even suggest that their acute concern with history resulted in their refusal to permit an outstanding successor to follow in their footsteps. To be succeeded by rank mediocrity would elevate their historical stature by stark contrast. The successor becomes an integral part of the background of the canvas of history.

Fortunately for the American people, Harry Truman proved to be far more competent than many believed; however, similar luck has not followed the United Mine Workers.

One of Boyle's major problems has been a lack of credibility.

Under certain conditions, leaders may prove to be a source of weakness for their groups. Because of their very strategic positions and the power that

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6Alinsky, Lewis, p. 211.
they wield within their organizations, they are able to espouse policies that may not correspond with those of the members. Only infrequently do the latter engage in extensive combat with their leaders over policies. However, disclosure of major discrepancies between what leaders say and what members want can be politically debilitating to the groups themselves... These groups are weakened further by the fact that future statements by their leaders are also subject to doubt.

The miners have been shown through court suits and periodicals that their leadership can not always be trusted to speak the truth. When this happens, questions often arise as to the extent of lies and half-truths; has the leadership been lying to the union members as well?

Another leadership problem which must be dealt with immediately is the constant drain of manpower away from the mines. In the seven-year period from 1961 to 1968, mine production increased 35%; manpower, on the other hand, decreased 18%. 

It is becoming continually more difficult to find men who are willing to go into the mines. One of the most obvious causes of this has been the increased mechanization which requires more skilled workmen rather than the unskilled remnants of the labor force. Also, pay increases have enabled the miners to

7 Holtzman, Interest Groups, p. 17.
provide their children with a better education so that they would be equipped for a profession other than mining. As the large pensioner vote in the 1969 election illustrated, a greater number of miners are retiring every year which depletes the available manpower even more. Finally, the poor publicity which mining has received over the years has tarnished the profession in many people's minds, so that even good salaries and improved working conditions aren't enough to induce them to enter mining.

Even after considering the investigations and the law suits, it can be said that Boyle has been helpful to the miners in some areas. Chart V shows some of the improvements that have been made, especially in the last contract settlement, the National Bituminous Coal Wage Agreement of 1968. The union leadership for the first time in half a century must prove its worth to the members in an attempt to restore the prestige and trust which is fast draining the life from the UMW.
UNCH ANNUAL WAGES SINCE 1940

HOLIDAY PAY
F.P. 21 (1970)*

VACATION PAY
6 paid holidays
11 day vacation - 10 times the employee's
day wage rate
Additional days of vacation for 10 or more
consecutive years of employment
(at one company)

VACATION FUND
$150,008,018 - unexpended balance - June 30, 1970**
$150 a month - pension

SAFETY RULES
U.S. Bureau of Mines - inspects & enforces
Joint Industry Safety Committee - operators & union
Mine Safety Committee - at local level

ADDITIONAL BENEFITS
Workers' Compensation
Occupational Disease Laws
Christmas bonus
Pay for jury duty
Overtime - time and one-half

National Bituminous Coal Wage Agreement
of 1968
*U.A. Welfare and Retirement Fund;
July Report for the year ending 6/30/70
**Bituminous Coal Price 1970 (National
Coal Association) - p. 80
The latent causes of faction are sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good.\(^1\) --James Madison

COHESION

On January 25, 1890 the United Mine Workers was founded under the motto, "ONE AND INDISSOLUBLE." As a result of the autonomy usurped by the individual districts, this did not come automatically with unionization; nor did it become a fixed reality once unification had been achieved. Even during the period of Lewis' strong control, splinter groups developed either to bring about reform, or to express dissatisfaction. Today dissension has again become a major obstacle to the union, not only at the group level, but seemingly more often on an individual basis.

\(^1\)Jay, Hamilton, and Madison, Federalist Papers, p. 79.
One explanation of this rejection of total union control is David Truman's concept of "overlapping memberships." He explains that...

...no individual is wholly absorbed in any group to which he belongs. Only a fraction of his attitudes is expressed through any one such affiliation, though in many instances a major fraction.

The demands and standards of these various groups may and frequently do come in conflict with one another, a situation that is the primary source of the problem of internal group politics.²

Although too many miners still live in abject poverty, a member of the UMW today is more aware of the world around him. Thanks to modern communication, transportation, and public education, miners have increasingly greater opportunities to become members of other groups which at times might espouse ideas contrary to those of the UMW. Consequently, the union itself is more likely to be divided because miners who are forced to choose between two conflicting sets of ideals will not always side with the union, and cohesion suffers as a result.

The membership of the UMW is disenchanted with union officials because all too often they hear but fail to listen.

Miners are among the best paid laborers in the country today, but now they seek improvements in safety conditions above all else. Regardless of this fact, their leaders still press primarily for increased wages and a few added fringe benefits. Also, the shadow of a union-management conspiracy hangs over the coal areas. Past dealings with mine operators are a well known fact, and there is no present evidence to support any contention that this cozy relationship is no longer a reality. Once the miners doubt the ability of their leadership to protect their interests alone, dissident factions spring up and union potency decreases.

An excellent example of factionalism can be seen in the formation of The Progressive Mine Workers of America. The purge which Lewis instituted throughout the 1920's resulted in more than mere unification; many men were embittered by Lewis and his methods. As a result, these men broke from the United Mine Workers and formed their own union which proceeded to categorically oppose anything that Lewis said or did. Although membership was fast approaching extinction in 1948, this organization demonstrated an amazing longevity and, therefore, provides any future factions with some hope of
Currently, the Miners for Democracy represents the most organized effort on the part of union members to voice dissatisfaction with the leadership of the UMW. Much of this group's membership stems from Joseph Yablonski's ill-fated bid for the union presidency in 1969. Consequently, it seems only natural that their efforts follow many of Yablonski's campaign issues. In 1970 the Miners for Democracy tried to get a court order which would force the union to disband 40 pension locals in District 5, but they did not succeed.4

W. A. Boyle, on the other hand, sees the Miners for Democracy less as a force for internal improvement than as militant troublemakers. According to an article in the UMW Journal, Boyle claims that the group is really run by outsiders who seek only to smear the union and incite its members to violence. He states that this organization poses the threat of "dual unionism" which would only serve to split the union and, therefore, destroy the gains that have been and could be made in contract bargaining. In closing, Boyle argues that

3 Alinsky, Lewis, p. 53.
the right of free speech, assembly and dissent must be protected, but these rights give no group the authority to pursue dual unionism from inside the UMWA...We intend to make certain that the rights of the members and the integrity of our Union shall be preserved. 5

"Membership,..., should not be understood narrowly as including only those who pay dues to a formal organization."6 Several groups with extra-union members have emerged in the past few years. The Physicians for Miners' Health & Safety was organized to aid miners in their quest for more comprehensive legislation; it, however, has anti-UMW tendencies. The Black Lung Association, too, is interested in improving the quality of mining laws, but its work is centered basically in the area of pneumoconiosis.7 Also, individuals such as Ralph Nader and Congressman Ken Hechler (D-W. Va.) have worked diligently to bring the plight of miners before the public in an attempt to bring about further reforms. Their efforts, like those of the above groups, are not really appreciated by the union leadership; it interprets their work very narrowly and, 


6Truman, Governmental Process, p. 158.

7"Heir Faces Revolt," p. 112.
consequently, condemns them as seeking only to divide the UMW.

Above all else, cohesion is a necessity for any organization. Without it, a group will spend its energy in internal rather than external affairs; nevertheless, this does not justify the suppression of dissent or diversity of opinion. The United Mine Workers is treading the dangerous line between dissension and rebellion; if the union does not want to be reformed by others, it should reform itself. The UMW once achieved solidarity. The question that must be now asked is, can the union unite itself once more, without the help of John L. Lewis?
The Mine Workers Welfare and Retirement Fund is aimed at every human need of the mining population. It will be recorded as one of Lewis's greatest achievements, not only for the welfare of the miners, but as a model for all other unions. This, for Lewis, is his monument to the miners of America.1

THE WELFARE AND RETIREMENT FUND

When the Welfare and Retirement Fund was conceived in the mind of John L. Lewis, it was revolutionary; management had never before been held accountable for providing its employees with more than wages and semi-adequate working conditions. Lewis was now asking for a fee of five cents to be levied on each ton of coal mined. This would be paid into the Fund which in turn would be distributed to the miners in the form of pensions, health care, and widows' and survivors' benefits. "From this rich treasury the coal industry was required for the first time to make restitution to the host of maimed and blinded men whom it had created and to the widows and orphans of its slain."2

In order to achieve this goal, drastic action had to be taken by the union to induce the mine operators to accept its demands,

1Alinsky, Lewis, p. 345.

so in 1946 a series of annual strikes was begun. It was hoped that these strikes would demonstrate the power and determination of the union and, at the same time, impress upon the operators the futility of any resistance to UMW demands. As a result of this pressure, the Welfare and Retirement Fund was established on May 29, 1946.

This was not the final form of the Fund, however. On March 25, 1947, the Centralia Coal Company's Mine No. 5 in Centralia, Illinois, exploded killing 111 men. The widows and orphans of this blast were among the first to benefit from the Fund. Later that year, the UMW persuaded the Department of the Interior to authorize a team of men from the United States Navy, under Admiral Joel T. Boone, to make a survey of the health conditions in the bituminous coal industry. The results of the "Boone Report," coupled with the loss of life in the Centralia explosion, swayed public opinion away from support of the operators and placed it squarely behind the union.

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3Caudill, Cumberlands, p. 229.
4Alinsky, Lewis, p. 334.
5Caudill, Cumberlands, p. 292.
The Labor-Management Relations Act, 1947, Section 302(c), created the Fund as an "irrevocable trust" which "shall endure as long as the purposes for its creation shall exist. Said purposes shall be to make payments from principal or income or both, of

(1) benefits to employees of said operators, their families and dependents for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or life insurance, disability and sickness insurance or accident insurance;

(2) benefits with respect to wage loss not otherwise compensated for at all or adequately by tax supported agencies created by federal or state law;

(3) benefits on account of sickness, temporary disability, permanent disability, death or retirement;

(4) benefits for any and all other purposes which may be specified, provided for or permitted in Section 302 (c) of the "Labor-Management Relations Act, 1947," as agreed upon from time to time by the Trustees including the making of any or all of the foregoing benefits applicable to the individual members of the United Mine Workers of America and their families and dependents, and to employees of the operators other than those exempted from this agreement; and

(5) benefits for all other related welfare purposes as may be determined by the Trustees within the scope of the provision of the aforesaid "Labor-Management Relations Act, 1947."6