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The Truth About Operator and Union Relations in the Tri-State Mining District

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Higher wages, fewer hours, better working conditions--that would be the general mantra of most unions in the United States during the first part of the twentieth century. After the passage of the National Industrial Recovery Act in 1933, which gave employees the right to bargain collectively, unions were empowered and began sending out organizers all over the country.¹ Unfortunately, such a cookie-cutter platform would not be so easily applied in the Tri-State lead and zinc mining district of Missouri, Kansas, and Oklahoma. As union organizers mobilized in the Tri-State district, they stuck to the familiar procedure of agitating and ranting against employers, eventually initiating a strike in 1935. Although it is a common belief that the mine operators were oppressive toward unions and their workers, those claims are not entirely true. The relationship between operator and miner was much more nuanced, and much fairer, than the unions tried to insinuate. It could be argued that the inability of the unions to understand local dynamics rendered their attempts at national control of the labor force futile.

The Tri-State district's mining history dates back to the mid 1800s when significant deposits of lead and zinc ore were unearthed in Jasper and Newton Counties, Missouri. Prospectors flocked to the area, and after many years, the mining area expanded west to Cherokee County, Kansas, and then south to Ottawa County, Oklahoma. As time wore on, the smaller mining operations were replaced with larger companies running larger and deeper mines, though many miners still prospected on the side. While the mining camps boomed and transformed into towns, a raucous society developed, with saloons and brothels lining the bustling streets. Legitimate businesses also took hold, as did respectable sources of entertainment, like the Sapp Opera House in Galena, Kansas. Miners began starting families, though many lived in shacks hastily built next to the mines. There has been some debate as to

¹ M.D. Harbaugh, "Labor Relations in the Tri-State Mining District," *Mining Congress Journal* 22 (June 1936): 22.

whether the miners chose to live in such poor housing, or if it was because they were not paid enough. That issue later became fodder for the union organizers; however, according to a report from the Missouri Bureau of Labor Statistics from 1899, the miners were paid well enough to improve their housing, but many spent their savings on prospecting ventures.²

Prior to 1925, working conditions in the mines were notoriously bad, with cave-ins, dangerous hydrogen sulfide gas, and air full of lung-destroying hard rock particles.³ The disease silicosis, in which prolonged dust inhalation caused the formation of useless scar tissue in the lungs, had become rampant.⁴ Compounding the problem, silicosis made the affected miner more susceptible to tuberculosis, which in turn put his fellow miners and family at risk. The region had the highest rate of tuberculosis in the nation. As the situation worsened, the operators and state governments began to concern themselves more with the safety of their miners and mines.⁵

Dr. Anthony Lanza, a doctor with the United States Public Health Service, examined the problem in 1914 and made several recommendations, such as better housing for miners and giving them regular physical examinations.⁶ For the most part, operators complied with his suggestions, when they could afford to do so. Ventilation was improved, miners wore goggles, and wet drilling was put into practice to reduce the amount of dust in the air. A clinic was established in 1926 to examine the miners, funded by the mine operators, the Metropolitan Life Insurance Company, and the Bureau of Mines.⁷

The Tri-State was not the typical industrial environment; many of the operators and foremen had been miners originally. Though it is common practice to depict the employers as

² Arrell Gibson, "A Social History of the Tri-State District," *Chronicles of Oklahoma* 37, no. 2

³ Arrell Gibson, *Wilderness Bonanza*, Norman, OK: University of Oklahoma Press: 182.

⁴ Gerald Markowitz and David Rosner, "The Street of Walking Death: Silicosis, Health, and Labor in the Tri-State Region, 1900-1950," *Journal of American History* 77, no. 2 (Sept. 1990): 531.

⁵ *Ibid.*

⁶ Gibson, *Wilderness Bonanza*, 186.

⁷ *Ibid.*, 187.

greedy, disconnected capitalists, M.D. Harbaugh, secretary of the Tri-State Zinc and Lead Ore Producers Association, stated plainly that operators' offices were open to any miner. Operators also made rounds to interact with their workers to get to know them and to listen to concerns.⁸ Such close relations did not affect the union organizers' approach to the district.

As union organizers came to the district, they expressed several demands, some that were legitimate and others that were not. One such demand was that the workers should be paid higher wages, probably the most universal union demand. They either did not know or did not care that wages in the district were dependent upon the price of zinc and lead concentrates.⁹

Since labor was already a large portion of the production cost for mine and mill operators, they had a very limited ability to adjust wages.¹⁰ Dependent as they were on the ore prices, operators were hesitant to decrease wages when prices went down, whereas they increased wages in step with higher prices.¹¹ In 1925, the zinc concentrate price was \$55 and machine men were paid \$5 for eight hours of work, which would equal \$62.35 today when adjusted for inflation.¹² That comes out to \$7.79 per hour, higher than today's minimum wage. Contract shovelers earned 12.5 cents for every 1200 pound can filled, and despite the back-breaking work, most turned out sixty to one hundred cans a day, earning the equivalent of \$97.20 to \$162.00.¹³ Even when zinc prices plunged as low as \$14 and \$18 in 1932, machine workers earned \$2.00 a day and shovelers earned 8.5 cents per can.¹⁴ Though wages dropped, each dollar was worth more in

⁸ Harbaugh, 19.

⁹ Harbaugh, 19.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Ibid.* I used the Bureau of Labor Statistics's CPI inflation calculator to determine inflation, same as for all that follow.

¹³ *Ibid.*, 19-20.

¹⁴ *Ibid.*, 19.

1932 than in 1925. Prices declined as much as 75 percent from 1925 to 1932, though wages for machine workers dropped 60 percent and 32 percent per can for shovelers.

Another common demand was for better working conditions, to which James Wadleigh, the *Joplin Globe* mining editor said, “had some semblance of honesty.”¹⁵ He qualified his statement by saying that with the work of mine inspectors Ivan Fisher in Oklahoma and William Glennan in Kansas, the mines were the safest they had ever been.¹⁶ With the technology they had at that time, and with the state of the economy, operators likely did not have many options for improving their mines.

The clinic run by the Bureau of Mines, and later by the Tri-State Zinc Lead Ore Producers Association, was reviled by the miners. Not coincidentally, the union began calling for an end to the clinic, an action that attracted the miners who had lost their jobs because of their health and age.¹⁷ It was one of the few facets in their platform that was tailored to the district. M.D. Harbaugh, secretary of the Tri-State Zinc and Lead Ore Producers Association, admitted that, “prior to 1927, little if any attention was paid to the physical condition of workmen in the mines. If men were satisfactory to the foreman and could do their work, the prerequisites to employment were satisfied.”¹⁸ After the Bureau of Mines mandated the examination of all miners, Harbaugh defended the purpose of the clinic, saying that the operators had to remove men from the mines who “were a hazard to themselves and their associates.”¹⁹ According to him, employers aided those men with which they had good ties, such as those who had worked a

¹⁵ James Wadleigh, “The Strike of Mine, Mill, and Smelter Workers of the Tri-State District,” *Joplin Globe*. Picher Collection, Special Collections, Pittsburg State University, Pittsburg, Kansas.

¹⁶ Wadleigh.

¹⁷ Harbaugh, 21.

¹⁸ *Ibid.*, 19.

¹⁹ *Ibid.*, 20.

significant period of time for them.²⁰ Others who were taken out of the mines were allowed to undertake less demanding jobs.²¹ Of the miners the operators fired, many had acquired their disease from other mines, particularly from mines in the Webb City area before wet drilling was instituted.²² The clinic was not used as a heartless tool to eliminate inefficient workers from the payrolls, as some have suggested. Under the Bureau of Mines' conditions, and with the Depression in full swing, the operators had little choice but to let go their infirm workers.²³ Insisting on the clinic's demise, along with the other demands, was only part of the union's arsenal.

When union organizers began trying to gain members, they tended to rely on intimidation. Wadleigh wrote that there were "hundreds of cases" of miners who told their employers that the union organizers had told them that they would be out of a job if the union was recognized and they were not members.²⁴ He stated that the operators understood their workers' rights and told their workers that joining a union would not jeopardize their jobs.²⁵ "A bright young unemployed man from another Oklahoma locality" was said to have been responsible for starting multiple unions in the district, including the International Union of Mine, Mill, and Smelter Workers, which was affiliated with the American Federation of Labor.²⁶ The organizer began unions for retail clerks, the unemployed and public relief workers.²⁷ To pull them into his unions, he proclaimed that the National Industrial Recovery Act required that they

²⁰ *Ibid.*

²¹ *Ibid.*

²² Harbaugh.

²³ Wadleigh.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Harbaugh, 22.

²⁷ *Ibid.*

belong to a union.²⁸ President Roosevelt had even ordered them to do so; they could not disobey the government's decree.²⁹ In reality, under section 7 (a) of the NIRA, the employees had the right to collective bargaining "through representatives of their own choosing," without the "interference, restraint, or coercion" of employers.³⁰ Under the same section, employees could not be forced to join a company union, nor could they be refused employment because of membership in a union.³¹ Nowhere did it say that employees had to join a union and it did not set the parameters for recognition by employers. It was also unfortunate that the law did not detail the rights of employers, or the protection of employees from aggressive unions. Specifically targeting the relief workers and unemployed, the organizer told them that they would lose their relief checks if they stayed out of the union, and if they neglected to pay dues.³²

The International employed several other tactics to gain members. One of those tactics involved telling miners that the operators and newspapers were conspiring to publish zinc concentrate prices considerably lower than the actual numbers.³³ In the fall of 1934, the organizer told the workers that they were owed \$800,000 in back pay.³⁴ When President Roosevelt signed his Reemployment Agreement in the late summer of 1933, the workweek in the district was cut to five days and the International proclaimed that the workers should have been paid the same amount as when they had worked the longer week.³⁵ Harbaugh noted that such a demand disregarded the three wage increases that were enacted in tandem with President

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *National Industrial Recovery Act of 1933, HR 5755, 73rd Cong., 1st sess. (June 16, 1933).*

³¹ *Ibid.*

³² Harbaugh, 22.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*

Roosevelt's Agreement.³⁶ By May of 1935, the union's demands had increased to over a million dollars.³⁷

The union also engaged some less-than-honorable behavior to harass mine operators and the people of the district. Harbaugh said that union members flooded the state mine inspectors with complaints about working conditions in the mines; after inspection, the mines were usually deemed safe.³⁸ It could be argued that the union was simply trying to call attention to what they believed were poor conditions, and certainly some of the complaints were for that reason. A less ambiguous matter was the canvassing of area merchants and businesses, asking whether they were pro- or nonunion.³⁹ Stores that chose to stay out of the union matter were often boycotted or vandalized.⁴⁰ Harbaugh mentioned that distortions were printed in radical pro-union publications and the mainstream press, "depicting horrible working conditions in the mines, pitiful wages, and informing the world that the men lived only five years after starting to work in the mines and that they died by the hundreds of lead poisoning contracted there."⁴¹ He said that it was unheard of for miners or mill workers to get lead poisoning; the ones who were most at risk were the smelter workers.⁴²

The operators' response to the International's actions was practically nonexistent. Wadleigh criticized "the lackadaisical manner" the operators had in dealing with an issue that deeply affected the workers, which he claimed allowed the International to coerce a number of miners into membership.⁴³ Compliance with the NIRA and the President's Reemployment

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ *Ibid.*, 23.

⁴² *Ibid.*

⁴³ Wadleigh.

Agreement was essentially universal among the operators.⁴⁴ William Cassidy, in his doctoral dissertation over the Tri-State mining district, asserted that the operators were against Mine-Mill from its inception.⁴⁵ According to him, the operators fired or threatened to fire any miners who joined the union after it aided in bringing silicosis lawsuits against the operators.⁴⁶

Unfortunately, he did not offer a source for that claim. Operator animus toward the union would have been justified when taking into account the methods of the union, but Harbaugh and Wadleigh's accounts say the exact opposite about the issue of coercion. Even though Harbaugh was the secretary of the Ore Producers Association, his manner was very evenhanded throughout his article. Wadleigh, however, was much more pointed in his characterization of the unions, but that does not mean that his statements are without foundation. If operators engaged in intimidation, it would have been limited and most likely the exception to the rule. Considering the uncertainty surrounding the NIRA, especially section 7 (a), and the pressure exerted by Washington, it might be reasonable to conclude that the operators feared repercussions from any minor infraction. They did not know where the line was, so they remained immobile, hoping the issue would pass. By remaining inactive, they indirectly harmed their employees and set themselves up for the strike of 1935.

Despite its efforts, the International was in grave danger of dissolution. Though the union had a long roster, many members were not coming to meetings or paying dues.⁴⁷ The reason for that, Wadleigh asserted, was because a good number of the members had been forced into the union and did not want to contribute, while others were PWA workers or unemployed,

⁴⁴ Harbaugh, 23.

⁴⁵ William J. Cassidy, *The Tri-State Zinc Lead Mining Region: Growth, Problems, and Prospects* (Ph.D. dissertation, University of Pittsburgh, 1955).

⁴⁶ *Ibid.*

⁴⁷ Wadleigh.

thus unable to pay.⁴⁸ When the promises the union had made were not coming to fruition, unrest within its ranks was imminent.⁴⁹ Compounding that issue, union officials had practically drained the treasury, ultimately causing the ousting of one of its senior leaders, a man by the name of Brady.⁵⁰ The union had not even been recognized by any of the operators. All of this came to a head in March of 1935. With Brady gone, Thomas Brown and other organizers came to the area after a successful strike in Butte, Montana.⁵¹

The International began to demand that the operators recognize the union, but the leaders tried dealing with the operators as “collective employers.”⁵² On March 13, 1935, they sent a form letter to each of the operators requesting recognition as the collective bargaining agent for their employees.⁵³ The letter contained only generic demands, such as higher wages, and better working conditions, without making known how many employees were members, or to what mine they belonged.⁵⁴ Harbaugh and the operators he represented undoubtedly resented a union demanding collective bargaining rights without communicating beyond a letter and without reporting how many of their employees were represented. Considering the number of operators in the district, the union could not have assumed that such an impersonal and pretentious demand would have been met with anything but indignation. The operators did not respond, for they did not believe that the union had met the requirements under section 7 (a) of the NIRA.⁵⁵

At open meetings on Wednesday, May 8, 1935, the International, with five locals present, voted to call a strike on the grounds that the operators had “ignored their efforts to arrange

⁴⁸ *Ibid.*

⁴⁹ Harbaugh, 23.

⁵⁰ Wadleigh.

⁵¹ *Ibid.*

⁵² Harbaugh, 23.

⁵³ Wadleigh

⁵⁴ Harbaugh, 23.

⁵⁵ *Ibid.*

conferences to discuss collective bargaining.”⁵⁶ They issued no specific demands and planned to begin the strike at midnight.⁵⁷ Taking into account the union’s financial and morale woes, Wadleigh claimed that the reason for the strike was not to help the workers, but to gain recognition for the union so that it could demand the dues its members owed.⁵⁸ That strategy seemed to have worked initially, when a few hundred men joined the ranks of the union when they heard of the strike, in case there might be something good gained from the strike.⁵⁹

Apart from notifying a handful of mine offices, the union did not inform the operators and their workers, who were caught off guard when mobs gathered outside their work sites.⁶⁰

At the end of M.D. Harbaugh’s article, he remained optimistic that even with the unrest brought on by the strike, that relations between the operators and their employees would improve.⁶¹ He admitted that improvements needed to be made and that they should be implemented whenever possible.⁶² The Golden Rule was what Harbaugh called, “the secret of happy industrial relations.”⁶³ As in most situations, things are not usually black and white. The International Union of Mine Mill and Smelter Workers was not the poster child for peace or honesty, though it would be unfair to claim that its motives were entirely selfish. The Tri-State district operators were not free of blame, but they deserve much more credit than many have given them. Profit was a large concern for the employers, and it has to be for them to be able to maintain or augment their workforce. The operators and miners in the Tri-State district might

⁵⁶ Wadleigh.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ Harbaugh, 23.

⁶⁰ *Ibid.*

⁶¹ *Ibid.*, 24.

⁶² *Ibid.*

⁶³ *Ibid.*

● have had tenuous relations at times, but overall their interests were similar, especially compared to other industries.

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Wadleigh, James. "The Strike of the International Union of Mine, Mill, and Smelter Workers." *Joplin Globe*. Picher Collection, Special Collections and University Archives, Leonard H. Axe Library, Pittsburg State University, Pittsburg, Kansas.

U.S. Congress. House. *National Industrial Recovery Act of 1933*. HR 5755. 73rd Cong. 1st sess. (June 16, 1933).

Secondary Sources

Cassidy, William J. *The Tri-State Zinc Lead Mining Region: Growth, Problems, and Prospects*. Ph.D. diss., University of Pittsburgh, 1955.

This was an extensive study of the Tri-State mining district. Cassidy covered a broad range of topics, though I only was concerned with his discussion of producer and worker organizations. His position on the unions and the strike of 1935 was quite different from the accounts found in Harbaugh's and Wadleigh's articles. I have not been adequately convinced of the validity of Cassidy's claims.

Derickson, Alan. "On the Dump Heap: Employee Medical Screening in the Tri-State Zinc-Lead Industry, 1924-1932." *The Business History Review* 62, no.4 (Winter 1988): 656-77.

Derickson discussed the Picher clinic and silicosis in the miners. He had a very critical view of the operators and the clinic, claiming that the clinic's sole purpose was to find sick miners so that the operators could fire them. He did call the unions radical, but he did not explain what he meant by that.

Gibson, Arrell M. "Early Mining Camps in Northeastern Oklahoma." *Chronicles of Oklahoma* 34, no. 2 (1956): 193-202.

Gibson, a professor at ____, has studied the Tri-State mining district extensively. In this article, he traced the settlement and growth of mining camps on what had been Indian lands.

---. "A Social History of the Tri-State District." *Chronicles of Oklahoma* 37, no. 2 (1959): 182-95.

Another of Gibson's articles, this one focusing on the unique society that developed around the mines. As is typical with his work, it is full of trenchant insights into the mining district.

---. *Wilderness Bonanza: the Tri-State Mining District of Missouri, Kansas, and Oklahoma*. Norman, Oklahoma: University of Oklahoma Press, 1972.

This book continued in the same mold as the other two articles. The portion that I read dealt with distinguishing factors in the district, from the rich ore deposits to mine safety and health. It also mentioned the treatment of the district in three different works from earlier in the twentieth century.

Markowitz, Gerald, and David Rosner. "The Street of Walking Death: Silicosis, Health, and Labor in the Tri-State Region, 1900-1950." *Journal of American History* 77, no. 2 (Sept. 1990): 525-52.

Markowitz was a history professor at John Jay College, while David Rosner was a history professor at Baruch College and the Graduate Center, both men at the City University of New York. This article concerned the alarming rates of silicosis and tuberculosis in the mining district, and particularly with how the mine operators, government, and labor unions approached the issue. They spent a considerable amount of time addressing the Perkins conference, which was a meeting with the Tri-State Ore Producers Association and labor unions. It was a valuable look into the situation. The operators did not come across too well in this article, though that might have been because their spokesperson, Evan Just, seemed to be rather incompetent.