Digital Image, 2011, The Ida M. Tarbell Collection, 1890-1944, Allegheny College Pelletier Library.

THE RIGHTS OF ORGANIZATION.

WHEREAS, every important suspension of industry, whether as a result of a strike or a lockout, involves serious consequences to the general public and not alone to the groups of employers and employees immediately concerned, this Industrial Conference regards it as highly important to set forth the fundamental principles which should govern public policy in relation to all such conflicts.

We hold that the right of workers to combine into unions and into combinations of unions, for the furtherance of their special interests and for the protection of their rights and prerogatives, should once and forever be placed beyond question or assault. Such immense gains to the whole body of society have resulted from the exercise of this right until now as to warrant us in taking this position and condemning any infringement of that right, either by legislation, public policy, or private action.

As a corollary to the right of organization we hold that all workers organized into unions must be assured the right to be represented by the officials of such unions in dealing with their employers, regardless of whether or not such union representatives are employed by the employer to be dealt with. This right is so vital and important to the workers and, experience has shown, so conducive to peaceful and orderly progress that it should be adequately protected by necessary legislation.

Whenever any group of employees desire to present their claims, demands or complaints through representatives of their union or unions, refusal to recognize or deal with such representatives of the union or unions of the workers should be a penal offense. We believe that Congress should enact the necessary legislation to make this principle immediately

applicable to every department of the national government and its services, except the army and navy; to every industrial corporation or concern depending upon any license, patent or franchise issued by the federal government, or doing an interstate business or producing goods which enter into interstate commerce.

We believe further that the foregoing principles should be incorporated, in so far as they apply, in all State or municipal legislation and active policy.

Any attempt on the part of any employer to penalize or discriminate against any worker or workers for lawful activity in promoting the interests of any union to which such worker or workers may belong, whether such discrimination take the form of discharge, refusal of employment, or otherwise, should be made unlawful and punishable. Some competent authority, composed equally of representatives of employers and employees, should be created with full powers to examine and determine immediately every allegation of such unlawful discrimination properly laid before it.

The right of organization carries with it also the right to use every peaceful and lawful means to promote the principles and aims of such organization. To deny workers in American industry the right to freely assemble for peaceful and orderly discussion and advocacy of their claims, or in any other manner to prevent their free recourse to the fundamental rights of free assemblage, speech and publication, is to subvert the principal and most cherished institutions of this republic and is a direct incitement to violent revolution.

Of course, for labor organizations, as for all other citizens, the rights of free assemblage, speech and publication are subject to certain restrictions and, in extraordinary circumstances, to suspension, as, for example, in war time, during periods of great calamity or pestilence, or

Digital Image, 2011, The Ida M. Tarbell Collection, 1890-1944, Allegheny College Pelletier Library.

when there is actual and real danger of the overthrow of constituted authority.

This Industrial Conference, recognizing that in many parts of the country officials, acting with or without collusion with the industrial corporations, have used allegations of such dangers to constituted authority as subterfuges to excuse and justify arbitrary suppression of the rights of free speech and assemblage, advocates the creation in every State of a special authority representing capital, labor and the general public, competent to determine whether such suppressions are necessary or not and to order the removal of any prohibition of those rights which may have been issued without just cause. The burden of responsibility for proving the need of such prohibitions should, in every case, rest upon the authorities. It is quite evident that in order to be effective the special authority created for this purpose should be required to act immediately, otherwise the suppression, however unjustifiable or unlawful, becomes practically effective, so that there is then a grievance for which the law can provide no remedy.

The Conference believes that every right and safeguard here secured to labor unions should be secured to every other lawful organization or workers and also of employers.

(Introduced by Mr. Spargo, October 9, 1919)

Digital Image, 2011, The Ida M. Tarbell Collection, 1890-1944, Allegheny College Pelletier Library.