# FACTORS AFFECTING WOODS LABOR ORGANIZATION

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#### ABSTRACT

# FACTORS AFFECTING WOODS LABOR ORGANIZATION

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Labor organization in the timber harvesting sector of the forest economy in the United States is limited. Only in the West have woods workers been organized to any significant degree. Despite an enduring low economic status and hazardous working conditions among workers in other regions, organization for collective bargaining has failed to develop as a means of improving the welfare of people employed in timber harvesting in these areas.

This study explores the likelihood of increased organization of woods labor in the United States. The specific objectives were:

(1) to review developments and identify factors which have led to labor organization in the timber harvesting industry; and (2) to examine current conditions and evaluate prospects for future organizing and collective bargaining activities in the timber harvesting industry. Data from secondary sources were used to meet these objectives, supplemented by information gathered through interviews with officials of forest industries, trade associations, and government agencies.

Special elements of the timber harvesting environment have limited labor organization in this industry. Early organizing efforts were influenced strongly by forces retarding the labor movement nation-wide--particularly heavy immigration, abundant free land, a spirit of

individualism, and government and employer opposition. But as the organization of skilled craftsmen gradually developed in other sectors of the nation's economy, the lack of sufficient numbers of skilled craftsmen, the migratory and seasonal nature of the centers of timber harvesting, and the isolated location of operations thwarted efforts to establish unionization in the timber harvesting industry prior to the 1930's.

With the upsurge in unionism across the country in the 1930's, spurred by social unrest arising from the depression and encouraged by New Deal programs, labor organization was established among woods workers in the West. Unions were able to organize woods labor in this region where workers were employed on large and integrated company harvesting operations. But in other regions of the country, unionization failed because of small, scattered and independent harvesting operations, seasonal and unstable employment conditions, and abundant supplies of rural labor. Legal obstacles also helped to nullify collective bargaining attempts by associations of producers and workers with wood-purchasing companies. Because of these factors, the extent of successful organization among woods workers has changed little since the late 1930's.

Analysis of current conditions revealed that some influential factors affecting organization for collective bargaining in the timber harvesting sector have changed. The long-term flow of rural labor to urban areas has reduced available woods labor supplies. With less labor available, harvesting operations in unorganized regions have

become more mechanized. This has brought more stable and full-time employment conditions, and has increased the need for more highly skilled workers. Such changes enhance the bargaining abilities of workers to a degree, but major obstacles to unionizing woods labor remain. Most timber harvesting continues to be undertaken by independent operators who employ few workers. Pulp companies obtain less than 10 percent of their wood requirements from company-owned harvesting operations, and over 90 percent of the logging establishments in 1967 employed fewer than 10 workers.

New legislation may also reduce the incentive for unionization. Reducing the hazardous working conditions prevalent in timber harvesting is a target of the Occupational Safety and Health Act of 1970. Low wages of many workers in unorganized regions may be alleviated by changes in minimum wage laws.

Because of increasing financial burdens and other pressures, collective action by timber producers appears more imminent than unionization of employees in the harvesting sector.

# FACTORS AFFECTING WOODS

# LABOR ORGANIZATION

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James E. Granskog

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#### CHAPTER I

#### INTRODUCTION

The low economic status of the woods labor force in many areas of the nation has endured for many years. But changing conditions are becoming apparent. The long-term migration of underemployed human resources from rural to urban areas has depleted the reservoir of surplus labor in forested regions. In the last decade, forest industries have increasingly experienced wood shortages largely attributable to limited labor supplies. Taken in conjunction with rising demands for wood products generally, widespread concern over woods labor problems has developed.

Mechanization is often proposed as the panacea for woods labor problems. It can ease labor requirements for industry and simultaneously permit the payment of more competitive wages. Even though management succeeds in devising more efficient harvesting systems and also thereby improves working conditions, workers may still feel disadvantaged. From their standpoint, the improvements do not diminish the industry's superior bargaining power. Hence, they may turn to labor organizations as an alternative means of achieving economic equity.

At first glance, woods labor would seem over-ripe for organization. Typical employment characteristics are low wages, hard physical work, hazardous working conditions, unstable income, and lack of job security. These characteristics seem readily convertible to a list

of grievances for concerted action. Yet, organized labor in the timber harvesting sector of the forest products industry is sparse. Only in the West (and Canada) have woods workers been organized to any significant degree. Attempts to unionize woods workers in other regions have generally met with little success. In the Lake States only a small percentage of Minnesota woods workers are union members and in the South virtually none are.

The prospects for unionization may be changing. The trend is toward fewer and larger harvesting firms operating year-round, a diminishing labor supply, and an increasing demand for skilled rather than common labor to operate sophisticated harvesting machines. Furthermore, the continuing concentration of ownership of processing facilities and timberlands by forest industries in the South (many of which have unionized labor in plants and harvesting operations elsewhere) make unionization more feasible than has been the case in the past. In the Lake States, organizing activity has recently been undertaken among pulpwood "producers," the owners of independent wood harvesting firms.

#### Problem

Data concerning unionization of workers in the timber harvesting industry are limited. Lack of information is largely attributable
to the fact that union organization and collective bargaining on a wide
scale has not occurred. Moreover, the harvesting sector provides a
relatively small part of the total employment in the forest economy.
Some historical information appears in studies of the unionization of
workers in wood-processing plants. But this has little bearing on

evaluating the possible implications of prospective woods labor organization in the forest industry today.

Although the harvesting sector may be a small part of the total forest industry, its crucial position as the provider of the basic raw material input can hardly be ignored. And its importance to the industry has been indicated by the rising concern over wood shortages attributed to the lack of available woods labor.

The prospect of wood shortages due to work stoppages or with-holding action by organized woods labor may seem distant at present. Whatever the case may be, the effects of such an occurrence would be felt much more than those wood shortages that have been experienced by forest industries thus far. Unknown aspects of labor organization may tend to arouse suspicion and perhaps even fear of unions in the industry. However, it has been expressed that the activities of unions have been beneficial to forest industries (as well as to the workers) in terms of a more stable and efficient working force (Worrell, 1959).

The purpose of this study is to explore the likelihood of increased organization of woods labor in the United States. The objectives are: (1) to review developments and identify factors which have led to labor organization in the timber harvesting industry; and (2) to examine current conditions and evaluate prospects for future organizing and collective bargaining activities in the timber harvesting industry.

## Scope and Procedure

The focal point of the study is labor organization in the timber harvesting industry, with special emphasis upon the pulpwood sector. Through historical developments the producing sector in many regions has become predominantly composed of small firms. Producers typically work in the harvesting operations they manage. The relationships between employers and workers is such that it is often difficult for them to discern where their separate economic interests diverge and converge. As a result, organizing efforts have frequently found producers and workers attempting to form an association to offset the superior bargaining position of wood-purchasing companies.

A review of the development of unionism in the forest industries will be made to provide a setting to evaluate current developments in the harvesting sector. It will be necessary to consider labor organization in the wood-using plants as these usually are the same ones representing or attempting to organize woods workers. Of particular interest are the environmental factors influencing union development, industry organization and market structure, regional developments, and characteristics and working conditions of the woods labor force itself.

Secondary sources were researched to develop the data used in the study. These sources were supplemented with information gathered through interviews with officials from forest industries, trade associations, and government agencies.

#### CHAPTER II

#### THE DEVELOPMENT OF LABOR ORGANIZATION

Development of unionism in a certain industry or sector is due in varying degrees to its particular environment. Nonetheless, a number of factors external to an industry have influenced unionization in general. Specific legislative enactments, for example, have reflected the attitude of the country toward labor organization and have determined directions the labor movement could take.

This chapter focuses attention on factors which have been significant in the emergence and development of labor organizations. A look at pertinent factors influencing the labor movement as a whole will precede an examination of the development of organized labor in the forest industries. This will be followed by a comparison of the influence of forces nationally and the differences arising in the forest industry sector.

lseveral explanations or theories of labor organization have been developed over the years. Summaries of the principal theories may be found in the following: Dunlop, John T. "The Development of Labor Organization: A Theoretical Framework," in R. A. Lester and Joseph Shister (Eds.), Insights Into Labor Issues, Macmillan, 1948, pp. 163-93; and Perlman, Mark, Labor Union Theories in America, Row, Peterson and Company, 1958.

## Nationwide

American unionism dates back to 1792 (Reynolds, 1964), but its growth to a position of national influence did not begin until the mid-1930's. Today's generally accepted right of employees to join together into unions of their own choosing for purposes of bargaining collectively with their employers required a long struggle. The achievement of this right was formally guaranteed by the National Labor Relations (Wagner) Act of 1935. The Act was more than a protective measure. It had the effect of encouraging the organization of labor. Prior to 1935 governmental attitude ranged from mere toleration to outright prohibition.

As government responded to public acceptance of unionism and in particular to providing equitable treatment before the law, both the number of labor organizations and their memberships increased. Thus, examining legal developments will best trace the change in government attitudes over time.

#### Legal Developments

Until the flood of labor legislation in the 1930's, labor policy in the United States was determined mainly in the courts. Rules of common law guided most court decisions concerning labor organizations.<sup>2</sup> And the earliest decisions, in turn, were derived from precedents established in the English legal system (Myers, 1968).

<sup>&</sup>lt;sup>2</sup>Rules of common law are those developed by court decisions in the absence of legislation governing the issue at hand.

The English influence was evident in the first famous American labor case. In 1806, American courts adopted the "doctrine of criminal conspiracy" in adjudicating the Philadelphia Cordwainers case (Northrup and Bloom, 1963). English courts had ruled labor combinations to raise wages a conspiracy against the workings of the free market and a criminal offense at common law. As a result of this case, essentially all union activity was considered unlawful, and those who participated in such activity were branded criminals. This doctrine was applied by the courts until the 1840's.

In 1842 the criminal conspiracy doctrine was reversed in a case decided before the Supreme Court of Massachusetts (Myers, 1968). In Commonwealth v. Hunt, it was ruled that an association of workingmen was not illegal per se; and unless the objectives or the means to achieve the objectives of such an association could be proven unlawful, the conspiracy doctrine was not applicable.

The Commonwealth v. Hunt case of 1842 marked a drastic change in governmental attitude by recognizing the legal right of workingmen to organize. It dealt a death blow to the criminal conspiracy doctrine at common law, but the labor movement was far from being free of the reins of judicial restraint. Additional restrictions on union activity by the courts developed through their issuances of injunctions, enforcement of the so-called "yellow dog" contracts, and use of the doctrine of restraint of trade. By the 1890's, after enactment of the Sherman Antitrust Act, these legalisms evolved into highly effective antilabor instruments which taken collectively severely reduced the significance of the legal right to organize.

The Sherman Antitrust Act of 1890 provided a statutory basis by which courts could apply the restraint of trade doctrine and the injunction to organized labor. The Act stated every contract, combination, or conspiracy in restraint of trade was illegal. One of its enforcement provisions sanctioned proceedings in courts of equity for issuances of restraining orders and injunctions. Undoubtedly, the purpose of the act was to restrict the monopolistic practices of the big business combinations which had developed with the tremendous industrial growth of the post Civil War period. Whatever Congress intended, the courts interpreted "every" combination in restraint of trade to include labor organizations.

Several legislative attempts promoted by organized labor to free itself from the hostility of the courts proved futile. Proposals which succeeded in passing Congress were struck down by the judiciary. A section of the Erdman Act of 1898 which outlawed the use of "yellow-dog" contracts for railroad employees was ruled unconstitutional. The Clayton Act of 1914 included provisions to remove labor from the jurisdiction of the Sherman Act, but narrow interpretation by the courts largely nullified those sections. Moreover, in 1917 the courts legalized the enforcement of "yellow-dog" contracts by injunction in the case Hitchman Coal v. Mitchell (Phelps, 1961).

Restriction of union activity continued by the judiciary until passage of the Federal Anti-Injunction Act in 1932. This Act, more commonly known as the Norris-La Guardia Act, made "yellow-dog"

The restraint of trade doctrine also existed in common law, but it became more influential in court decisions after receiving statutory status in the Sherman Act (Northrup and Bloom, 1963).

contracts unenforceable in the courts and severely restricted the issuances of injunctions in labor disputes. It was aimed directly at reversing the court decisions of the Hitchman Coal case and others which limited the labor provisions of the Clayton Act. Although it did not remove labor unions from the antitrust laws, it contained the basis for later court decisions which did.

The objective of the Norris-La Guardia Act was to lift labor organization from the restrictive policies of the courts. Largely because of the great depression, the climate of public opinion was shifting toward a pro-union stance. With the election of the Roosevelt administration and the New Deal program, actual encouragement of unionism was about to begin.

The Wagner Act of 1935 formally established the right of employees to organize and bargain collectively with their employers through representatives of their own choosing. Although the National Industrial Recovery Act passed at the beginning of the Roosevelt administration contained a similar section, it had lacked enforcement powers and was later declared unconstitutional. The Wagner Act restored this provision of the NIRA and added provisions to ensure its effectiveness. To prevent employer interference with these rights, a list of unfair labor practices was defined in the Act. And to oversee its operation the National Labor Relations Board was established.

This right had previously been guaranteed to railroad employees in the Railway Labor Act of 1926. The Wagner Act extended coverage of this right to all workingmen.

With the Supreme Court ratification of the legality of the Wagner and Norris-La Guardia Acts in 1937,<sup>5</sup> the favorable attitude of all branches of government toward union organization was clearly demonstrated. Further indications of this favorable viewpoint came with Supreme Court decisions in 1940 and 1941 which, for the most part, removed the application of antitrust law from union activity (Lester, 1964).

This period of encouragement of labor organization continued until 1947. Undoubtedly such approval contributed to the success of the organizing activity which took place. Union membership grew from 3.7 million in 1935 to over 15.4 million in 1947 (U.S. Department of Labor, 1970). With this growth in organization, unions became able to wield considerable power. When abuses of that power developed, public support of unionism began to recede.

The enactment of the Labor Management Relations (Taft-Hartley) Act in 1947 represented an effort to strike a balance of power between organized labor and management. The promotion of the equalization of bargaining power was the basic policy governing labor-management relations which had been set forth in the Wagner Act. In trying to achieve that objective, however, the provisions of the Wagner Act were written deliberately in favor of labor to help improve their much weaker bargaining position. Hence, unfair labor practices were only defined for employers. As a consequence employers were often helpless in trying to

<sup>&</sup>lt;sup>5</sup>The Wagner Act was upheld by the Supreme Court in NLRB v. Jones and Laughlin Steel Corporation. In Senn v. Tile Layers Protective Union, the Court upheld the legality of a Wisconsin law prohibiting the granting of an injunction against peaceful picketing and, in effect, approved the constitutionality of the Norris-La Guardia Act (Phelps, 1961).

prevent damages arising from jurisdictional disputes between rival unions. These criticisms, plus dissatisfaction with other union practices and an epidemic of post-war strikes, culminated in the passage of the Taft-Hartley Act to restore some balance of power in collective bargaining. Among other things, the Act protected the right of workers not to join unions, outlawed the closed shop, and added a list of unfair labor practices by unions (Myers, 1968).

Enactment of the Taft-Hartley Act signaled more government intervention into the employment relationship. Whereas government had stood apart from much of the bargaining process before, it now became a more active participant. Besides setting controls on union activity and protecting rights on both sides of the bargaining table, a national-emergency strike procedure was established. More requirements were set up, such as annual reports by unions, to receive protection under the Act. Thus, government attitude had changed from encouragement of labor organization to more regulation of unions and collective bargaining overall.

Intervention and regulation has continued to characterize government attitudes toward organized labor to date. Indicative of this outlook was the Labor-Management Reporting and Disclosure Act of 1959 (also known as the Labor Reform Act or Landrum-Griffin Act) (Phelps, 1961). Resulting from exposure of corruption and malpractices by various union officials, this statute was aimed toward regulating the internal operations of unions. Also, the Civil Rights Act of 1964 further outlawed certain employment practices by unions and management, particularly discrimination because of race, color, religion, sex, or national origin (Myers, 1968).

## Underlying Factors

Reviewing major legal developments, of course, does not reveal the underlying factors which were important in determining attitudes of government and the nation toward labor organization. With continued organization absent until the formation of the American Federation of Labor in 1886, several factors played a part in delaying the labor movement.

To begin with, the effect of government on the development of organized labor was broader than just the legal system. Indeed, our form of government has been noted as a retarding factor in the growth of the labor movement (Lester, 1964). The decentralization of power between branches of Federal, state, and local governments permitted opposition to unions on many fronts. And free land policies, the right to vote, and free public education were other institutional factors credited for slowing the growth of unionism (Phelps, 1961; Rees, 1962).

The restraining influence of free land and the accompanying concept of property rights was, in particular, wide in scope. The favoring of property rights was evident in the early court decisions regarding labor-organizing activity. The injunction, for example, was originally granted by courts of equity to prevent irreparable damage to property. And freedom of contract is a property right guaranteed by the Constitution. These were the bases of (1) granting labor injunctions by the courts to "protect the property" of employers, and (2) to permit "yellow-dog" contracts as part of employers' property right of freedom of contract. Hence, employer opposition, an often mentioned retarding factor by itself, has been attributed by Barbash (1956) as

being largely motivated by the "divine right of property."6

Property ownership can also be tied in with what is considered another retarding factor of the period, the spirit of individualism (Lester, 1964). With the size and diversity of the country, the frontier conditions, and the opportunity for land ownership readily available, workers were less inclined to identify themselves as strictly wage-earners and less interested in joining collective activities such as labor unions.

Contributing to the sense of individualism and presenting an additional obstacle to unionization was the influence of immigration. Being, perhaps, more individualistic minded in the first place, the problem of assimilating a large number of immigrants with a diversity of backgrounds, languages, and customs into labor unions was difficult to achieve. The continuing inflow of immigrants provided an exploitable source of relatively unskilled labor. Although the number of immigrants continued to rise into the early 1900's, as a percentage the total labor force immigration was more significant during the nineteenth century (Table 1).

Besides the aforementioned factors, one more item helps to explain the lack of continuing labor organization until the late 1800's. Men working for wages constituted a minority of the labor force until 1880 (Lester, 1964). Prior to this date, a majority of workers were engaged in farming and other means of self-employment.

<sup>&</sup>lt;sup>6</sup>Even when the American Federation of Labor was formed in 1886, its dominant philosophy stemmed partly from the steadfast belief in property rights (i.e., the idea that a union owned or held exclusive jurisdiction of a craft).

Table 1.--Immigration by decades and as a percentage of the total labor force, 1821-1930.

Decade	Number of immigrants (in 000's)	Percent of labor force at end of decade						
1821-30	143	14						
1831-40	599	11						
1841-50	1,713	22						
1851-60	2 <b>,</b> 598	25						
1861-70	2,315	18						
1871-80	2,812	16						
1881-90	5,247	23						
1891-1900	3,688	13						
1901-10	8 <b>,</b> 795	24						
1911-20	5,736	14						
1921-30	4,107	8						

<sup>a</sup>Source: Lester (1964).

The overall influence of the factors just mentioned combined to stymie any real labor movement until 1886. Uncertain in objectives, the various national unions that did emerge fell by the wayside. Among the more notable attempts were the following: (1) the National Trades Union, existing from 1834 to 1837; (2) the National Labor Union, functioning from 1866 to 1872; and (3) the Knights of Labor, the most successful of the national organizing efforts which was established in 1869 and crippled by a disastrous strike in 1886.

The founding of the American Federation of Labor (AFL) in 1886 initiated what proved to be a stable form of organization. Whereas earlier organizations structured themselves to gain a broad-based support for wide-ranging political reforms, the success of the AFL was based upon craft unionism with emphasis on economic issues and business-like methods. The years of experimentation had shown that only skilled workers contained the bargaining power and common interest of their craft necessary for successful collective action. Also, certain factors were beginning to create a more favorable climate for union development.

The process of industrialization produced a combination of factors which enabled labor organization to take hold and become permanently established. The expansion of product markets and acceleration of industrial growth following the Civil War began to change traditional methods of production. The conventional craftsman, trained by individual apprenticeship for skilled individual work, more and more was replaced by factory techniques and conditions. The accompanying specialization and dilution of work skills crystallized the formation of craft unions as skilled workers sought to protect their trades. And

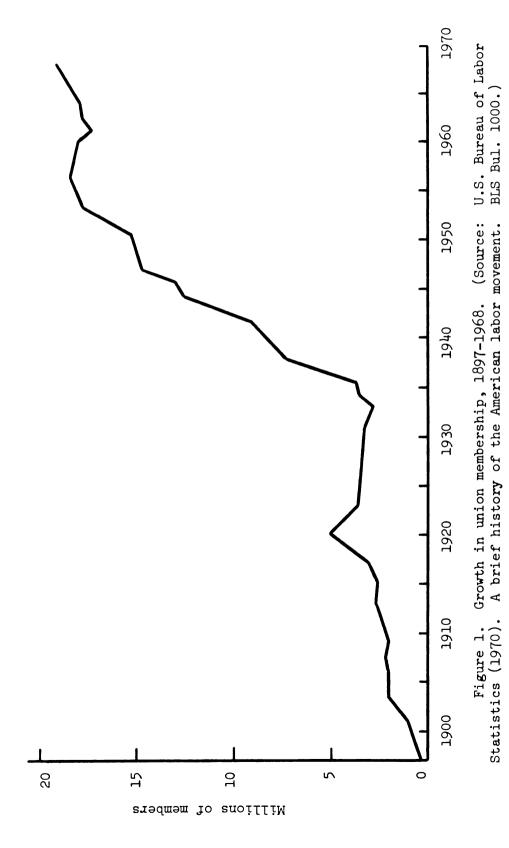
because of the often strategic position of the skilled worker in the production process, the craft unionism represented by the AFL proved to be a stable and continuing form of organization. 7

Thus, organization along craft lines and the AFL dominated the labor movement from 1886 to 1935. Although continued organization was therefore present, union membership increased only gradually during this period (Figure 1). Only the labor shortage and favorable government policy to avoid work stoppages during World War I produced any significant organizational surge. By adhering to the principle of craft organization, most semiskilled and unskilled workers were left outside of the labor movement.

Dissatisfaction with the conservative principles of the AFL surfaced in 1905 with the formation of the Industrial Workers of the World (IWW). Conceived as a rival, industrial union, its takeover by radicals with revolutionary programs severely limited its appeal to the average workingman. After making its deepest impact among Western miners and lumberworkers, the IWW opposition to American involvement in World War I effectively erased it from the labor movement.

Although industrial unionism insofar as it was represented by the IWW was unsuccessful, the stage was being set for its tremendous growth in the latter half of the 1930's. The decline of immigration in the 1920's removed what had been a continuing obstacle for union

The concept of strategic position has been attributed by Dunlop (1948) as the key for successful organization in the development of the labor movement up to the mid-1930's. This, of course, was not limited to just skilled workers. Others, by virtue of their location in the technological or market structure, also occupied critical positions (the teamsters, for example).



organization (Lester, 1964). Growth in the size of employers also tended to create a more unified labor force, as management became more impersonal and apart from their employees. But the depression provided the real stimulus for the emergence of labor organization on a major scale.

The widespread unemployment and the insensitivity of industry during the depression altered popular opinion of labor organization. The election of the Roosevelt administration brought encouragement of unionism to improve the lot of the workingman as part of the New Deal recovery program. The passage and ratification of the Wagner Act protecting the right to organize and providing for government certification of the bargaining unit opened the door for industrial unionism. The result, as shown in Figure 1, was the phenomenal growth of the labor movement from 1936 to 1948.

As mentioned in the previous section, the protection of the Wagner Act and the growth of unions tipped the balance of bargaining power in favor of organized labor. Abuses of that power again changed public opinion, and controls and regulations were placed upon unions in the Taft-Hartley Act of 1947.

Since 1947 union growth has slowed, increasing at a rate slightly less than the growth of the labor force. As might be expected, organized labor places the major blame for its relative lack of growth in the past two decades upon the Taft-Hartley Act. However, more basic reasons are probably responsible. Northrup and Bloom (1963) have noted a number of factors considered more important in the decline of union organization:

- 1. The employment structure of the economy has been shifting from manufacturing to service industries. By 1959 the service sector employed a majority of workers where, unlike manufacturing, unions have not been successful in organizing the more management-oriented workers.
- 2. Aside from the shift in the employment structure, the greatest increase in employment has been among white-collar workers, who have been disinclined to lean toward union organization.
- 3. Most large companies are organized, leaving the smaller and more difficult employment units.
- 4. Industry has been shifting geographically to the South and Midwest, where people have traditionally been less favorable toward labor organization.
- 5. Employer resistance has stiffened since passage of the Taft-Hartley Act.
  - 6. Union leaders have been less aggressive.

Agriculture and government employees are examples of the factors mentioned above. The small, scattered employing units in agriculture have provided an effective barrier to labor organizing activity. And the white-collar, service employees in government have been organized only to a limited degree (although the influence of not having the right to strike must be considered in the case of government workers).

<sup>8</sup>Recent developments in both of these areas, however, are significant items which will be examined in a subsequent chapter.

# Labor Organization in Forest Industries

#### Early Organizing Efforts

Except in the pulp and paper industry, a sustained labor organization in the forest economy did not exist until the New Deal encouraged organized labor in the 1930's. Lack of ongoing union organizations prior to this period was due to many factors, including those general influences mentioned previously. Certain conditions specific to the forest industry environment also helped to check unionism in the industry.

An important factor inhibiting permanent establishment of unions in early years was the mobile and unstable nature of the forest industry. To meet the demands of an expanding population, virgin timber stands were exploited on a "cut out and get out" basis. As a result, the centers of lumbering activity shifted from region to region as timber resources were depleted. From the Northeast in the 1860's, the leading lumber producing regions shifted to the Lake States, the South, and to the West by the mid 1920's (Jensen, 1945).

Besides migration, an additional aspect of instability was the seasonality of the industry. Logging was a winter activity in the Northeast and the Lake States, and rainy periods produced irregularity in the South.

Instability of the industry and the type of work involved attracted labor that were not susceptible to successful organization. The part-time nature of the work drew many farmers who alternated seasonal employment between the farm and the forest. They viewed woods work as a supplement to their main occupation, and were thus

unlikely to participate in collective activities which might have jeopardized their extra income. Many immigrants were also attracted to the industry, since the majority of the work was of an unskilled or semi-skilled nature. This diversity, plus intensely individualistic attitudes, produced a very infertile climate for maintaining union organization.

While the diversity among the workers produced difficulties in organizing at the local level, the rural location of the industry diminished even further the opportunity for widespread organization. Harvesting employees were widely scattered and isolated in the logging camps. Although workers around the sawmills and pulpmills were more concentrated, they were often situated in company towns. Company ownership of stores, homes, and other facilities, plus an absence of other employment opportunities, enabled successful employer opposition to union activity.

Prior to the turn of the century, the foregoing influences caused forest industry unionization to be sporadic and usually short-lived. Strikes first occurred among Northeastern sawmills in the 1870's. The next decade saw various union locals formed in Michigan sawmills and even affiliation by some locals with the Knights of Labor in 1885 (Jensen, 1945), but none lasted. Following the migratory pattern of the lumber industry, brief organizing attempts occurred in the South and West in the 1890's.

<sup>&</sup>lt;sup>9</sup>Immigrant labor was insignificant in the southern forest industry labor supply, but the heavy reliance upon Negro labor accentuated a lack of unity among workers in this region.

In the pulp and paper industry, however, unionism did manage to establish a permanent foothold. The large capital investment involved in pulping facilities tended to make the industry stable. Once established, operations were sustained; and although pulp mills tended to follow in the wake of lumber mills, the industry was characterized more by expansion rather than migration. Owing to the large percentage of skilled work, there existed the opportunity for craft unionism as represented by the AFL. Hence, in 1893 the machine operators formed the first papermakers union affiliated with the AFL (Brotslaw, 1964). Although union membership fluctuated and was confined to the Northeast and Lake States until the 1930's, continuous unionism did exist. 10

Among lumber and logging workers, continuous unionism did not begin until the 1930's. In the period from 1900 to the 1930's, however, some significant organizing attempts did take place. As lumbering operations were gradually being concentrated in the West, most efforts were expended in this region. Undertaking major organizing drives during this period were: (1) the AFL; (2) the Industrial Workers of the World (IWW); and (3) the Loyal Legion of Loggers and Lumbermen (4L's).

<sup>10</sup> The original organization, the United Brotherhood of Paper Makers, was renamed the International Brotherhood of Paper Makers in 1902. As the organization expanded, conflict developed between skilled and unskilled workers, and in 1906 the unskilled workers separated to form the International Brotherhood of Pulp, Sulphite and Paper Mill Workers. The latter organization continues today, while the Paper Makers merged in 1957 with a rival CIO Paperworkers union to form the United Papermakers and Paperworkers. Also, in 1964 workers on the West Coast seceded from the two unions to form the independent Association of Western Pulp and Paper Workers.

The AFL was active from 1905 to 1923 through a number of unions with various names (Jensen, 1945). These included the International Shingle Weavers and the International Brotherhood of Woodsmen and Sawmill Workers, which later merged to form the International Union of Timber Workers. Primarily active in the sawmills, the craft orientation of the AFL made little headway among the predominantly unskilled labor force. Besides the activity of the above unions in the West, the Timber Workers and the Carpenters' Union made unsuccessful organizing drives in the Southwest in 1919 (Allen, 1961).

More significant than the AFL unions was the IWW, which also was most active from 1905 to 1923. Its appeal to mass organization along industrial lines received greater acceptance among lumber industry workers, particularly logging employees. The IWW was most influential in the Far West, but attempts to organize in logging camps were made in all the major timber producing regions (Tyler, 1967). Although the IWW mobilized sufficient strength to cause a number of strikes, its revolutionary rhetoric and opposition to World War I caused widespread opposition which led to its decline to insignificance.

A third major organization active in the Pacific Northwest, the Loyal Legion of Loggers and Lumbermen (4L's), was a government sponsored effort to ensure sufficient lumber production for World War I. In 1917 a major strike developed in protest against poor working and living conditions in the logging camps (Tyler, 1967). A stalemate followed as employers refused to negotiate with existing organizations, particularly the IWW. With the advent of war, the government stepped in and helped to form the 4L's, which consisted of half employer and half employee representation. The desire to prevent work stoppages

and the wartime labor shortage enabled the 4L's to institute an 8 hour day and improve living and working conditions. Despite these improvements, the organization declined rapidly following the war. Undoubtedly, the employers' influence in the 4L's weakened its appeal for the workers (Hidy et al., 1963).

While the 4L's failed to achieve a following among the workers, its wartime success did help to undercut the influence of the IWW in the industry. As a result, no organization held a secure position. With a drop in construction activity in 1926 and the onslaught of the depression in 1929, unionism was practically nonexistent in the lumber industry during the latter half of the 1920's.

## Post-Depression Developments

In the 1930's, discontent arising from the depression and government encouragement of unionism nationally stimulated labor organization throughout the forest economy. Lumber and logging workers were successfully unionized in the West, and unionization in the pulp and paper industry became permanently established nationwide.

Following the passage of the NIRA in 1933, organizing activity reappeared among lumber and logging workers in the West with the chartering of several "federal" local unions by the AFL (Galenson, 1960). Membership grew rapidly, and in 1935 the AFL gave jurisdiction over the locals to the Carpenters' Union. Despite skepticism over affiliation with the Carpenters (which later led to the formation of a new rival union), a major strike the same year was successful in gaining recognition from the employers and establishing unionization.

Advancement of unionism in the western lumber industry spurred organizing activity in other forest regions. But unionization efforts in lumber and harvesting operations outside of the West were far less successful, particularly in the harvesting sector. Only in Minnesota did some organizing success result among woods workers (Engberg, 1950). Otherwise progress was limited to scattered organization in large mill operations.

After the establishment of unionism in the West in the mid 1930's, the major development in the lumber industry was the formation of the International Woodworkers of America (IWA). Because of the appeal of industrial unionism (shown by the previous influence of the IWW) and the second class status of the locals in the craft dominated Carpenters' Union, a majority of workers withdrew in 1937 and formed the rival CIO affiliate.

From 1937 until World War II, the jurisdictional warfare between the IWA and the Carpenters was among the most intensive of all AFL-CIO disputes (Christie, 1956). The Carpenters reacted immediately by urging other AFL unions to boycott handling of products from IWA represented operations. To retain workers who had not seceded, a modified industrial union structure was set up under the Oregon-Washington Council of Lumber and Sawmill Workers (LSW). Also, in 1940, benefits were granted to members of the LSW locals which

originally had been denied upon affiliation in 1935. 11

By 1941 the two unions had achieved roughly equal strength in western lumber operations. Besides the action undertaken by the Carpenters to re-establish itself, it was benefited by internal strife between right-wing and left-wing elements within the IWA. And employers, when faced with impending organization, tended to favor the less aggressive Carpenters and the AFL in general. With approximately 80 percent of 130,000 basic lumber workers unionized in the Far West in the early 1940's, slightly over half were represented by the IWA and the remainder by the Carpenters (Galenson, 1960). 12

The war years strengthened the position of unionism in the western lumber industry. Under policies of the wartime regulatory agencies, the rivalry between the Carpenters and the IWA subsided. Labor shortage conditions gave the unions considerable bargaining power, and wage increases and other gains were achieved.

In spite of the continued success of unions in the western lumber industry, lumber and woods workers in other regions remained, for the most part, unorganized. One of the reasons for this, of course, was that other regions had been largely cutover; and lumbering activity was concentrated in the West when unionism became popular

<sup>11</sup>The Carpenters' Union had admitted the lumber and logging workers in 1935 as "nonbeneficial" locals. By this action, they were permitted lower dues but were denied other benefits including voting rights at the union's convention. In 1940, the LSW locals were given "semibeneficial" status entitling them to benefits in proportion to their dues, with the option to transfer to beneficial status by vote of a local to pay regular dues (Horowitz, 1962).

<sup>12</sup>The IWA was composed primarily of woods workers while the LSW represented mainly sawmill employees.

in the 1930's. However, differences in industry structure and the labor supply between the regions also figured in the different developments in labor organization.

In the West, the industry structure was characterized by large operations, both in processing and harvesting. In addition, operations were more integrated, as many wood-using companies conducted their own harvesting operations—due to the large capital investment required to harvest the big timber from extensive tracts of industry—owned timber—lands. This combination of a few large employers and the integrated operations facilitated the organization of workers in this region.

Because of the migration in early years, a different industry structure prevailed in regions outside the West. After the peak of lumbering activity in these areas, the industry became composed of many small firms who, in turn, were supplied by many small, independent harvesting operations. Loggers typically worked part-time, had high turnover rates, and were widely scattered. These characteristics were effective barriers to union organization.

Also underlying the different unionization developments was the variation in the supply of labor between the West and the other regions. In the wake of the early lumber migration, rural areas were left with substantial pools of underemployed labor. Under these conditions, collective bargaining had little chance for success. On the other hand, the labor resource in the West was more limited, thereby enhancing union bargaining power.

In contrast to the limited success in lumber and logging operations during the post-depression period, unionization in the pulp and paper mills was established nationwide. Prior to the depression, the industry had been primarily located in the Lake States and the Northeast, where two unions had been established among the workers. Following the depression, the pulp and paper industry rapidly expanded into the South and the Pacific Northwest. Improvements in the kraft process which permitted the utilization of southern pine and the expansion of markets on the West Coast were largely responsible for the new growth. In keeping with the times, labor organizing soon appeared among mills in both areas. When companies on the West Coast offered little resistance, a regional bargaining apparatus was set up and most of the region was organized in 1934. In the South, successful organization began in 1937 and rapidly spread thereafter (Brotslaw, 1964).

The successful extension of unionization in the pulp and paper industry into all regions stemmed in large part from the existence of unions and the previous labor bargaining experience which had been gained in the Lake States and Northeast regions. For example, most new operations in the South were constructed by companies from the North, and they were accustomed to the existence of unions. Also, skilled workers from the northern plants were often brought to other regions to help get new operations underway, and these men tended to bring their union loyalties with them.

#### Post-War Trends

Since World War II, there has been little change in the unionization of lumber and logging workers. The extent of unionization has varied only slightly, partly because of the difficulties in organizing areas outside of the West. However, the renewed rivalry of the lumber unions in the West following the war and changes within the industry also affected unionization.

Save for the 1949 recession, the lumber industry unions enjoyed a favorable bargaining position from World War II through the early 1950's. Lumber markets were strong, profits good, and the labor was in short supply. Despite these favorable circumstances, union organization did not spread, as interunion rivalry apparently preoccupied the IWA and LSW at the expense of organizing activities (Kleinsorge, 1959). During this period, aside from the usual reasons for seeking wage increases the unions strove to outdo each other in negotiations to gain an advantage to attract the other's membership. But neither union was able to gain a superior position.

Following the early 1950's, however, the lumber unions began to encounter difficulties even where they were strongest, in the West. After maintaining about 80 percent unionization in the Pacific North-west during the 1945-53 period, union strength dropped to between 60 and 70 percent by the early 1960's (Levinson, 1966). Contributing to the decline in union strength were unfavorable economic conditions within the industry, rising use of independent contractors in harvesting operations, and continuing rivalry between the lumber unions.

The decline in lumber production and employment nationally began to affect the western industry in the early 1950's (Tables 2 and 3). Until this time, the high quality timber resource had enabled the companies to meet rising labor costs and still earn satisfactory profits. But falling profits began to force increased mechanization and displacement of workers. While total output held somewhat steady, employment dropped considerably.

Table 2.--Lumber production, selected years, 1909-1963.a

Year	Total	West
	(Billion bo	oard feet)
1909	44.5	8.2
1919	34.6	10.2
1929	38.7	16.1
1939	28.8	12.1
1947	35.4	16.3
1950	38.0	18.6
1953	36.7	19.9
1956	38.2	20.5
1959	37.2	22.0
1961	32.0	19.2
1963	34.7	20.3

<sup>a</sup>Sources: 1909-1947: Howard, 1970. 1950-1963: Hair and Alrich, 1971.

Table 3.--Employment trends in the lumber industry in Oregon and Washington, 1950 and 1963.a

Industry	1950	1963
Logging	28,664	23,669
Sawmills and planing mills	74,053	41,772
Veneer and plywood	18,261	33,040
Total	120,978	98,481

<sup>a</sup>Source: Smith and Gedney, 1965.

Confronted with shrinking profits, lumber companies stiffened their resistance to the unions. One form of resistance was an increased reliance upon independent logging contractors. Levinson (1966), in discussing the declining strength of the lumber unions in the Northwest during the 1950's, stated:

A related factor of importance in logging operations has been some rise in the importance of small independent contractors ... who perform the actual cutting operations for the large timber-owning companies on a fixed-price basis (per thousand feet cut), often with equipment owned by the large company and leased to the small contractor. The implications ... for the maintenance of union membership strength are obvious. Although many ... voluntarily maintain a union affiliation, they are in fact small independent entrepreneurs who often prefer to remain outside the unions and who would not be covered by the usual union security contract provisions.

Despite the unfavorable trends within the industry, the rivalry between the IWA and the LSW continued. Funds were dissipated in trying to achieve economic gains in the face of declining employment and profit levels. The lack of a unified front damaged further the unions' bargaining position against increased resistance from more cost

conscious employers. The combined influence of poor economic conditions, nonintegrated harvesting operations, and interunion rivalry resulted in a net loss in union strength. 13

While unionization prospered and then declined slightly in the West, there was little change in the status of unionization among lumber and woods workers in other regions. Organized workers remained limited mainly to the large wood-processing plants. Although numerous attempts toward organization were tried, the lumber unions were unable to organize the small mills, and the harvesting sector remained almost completely unorganized.

Significantly, the organizing activities among the lumber mills and woods operations in these regions during this period were not as closely related as in the integrated western operations. With small fragmented private forest holdings predominant, harvesting operations were largely conducted by independent producers and farmers. Hence, organizing efforts among the lumber mills and harvesting operations were often separate and unrelated.

Also, the pulp industry was influential in organizing activities in the harvesting sector outside the West. 14 As lumbering

<sup>13</sup>Studies of West Coast sawmilling by the U.S. Bureau of Labor Statistics support both the decline in integrated establishments (logging and sawmilling) and the general decline in union strength. A 1959 survey of firms employing 20 or more workers showed 68 percent of the production workers employed in integrated establishments and 80 percent employed in unionized firms (BLS, 1960). A similar survey in 1964 showed 60 percent of the production workers employed in integrated establishments and about 70 percent employed in unionized firms (BLS, 1965).

<sup>14</sup>Pulpwood production per se in the West was of minor importance because of the utilization by the pulpmills there of residual material from other wood-using plants.

declined pulpwood production became more important in the harvesting operations. And in the pulpwood market, the harvesting operators (or producing firms) faced only a few large buyers as opposed to the many firms in the sawlog market.

Because of the few pulpwood buyers and many producing units and the resulting power of the buyers to set prices paid for wood, efforts toward organization in the harvesting sector often found the producers and their workers trying to form an association to offset the superior bargaining power of the pulp companies. The essence of this association of the producers (employers) and their workers was that if higher prices could be achieved by producers, higher wages could be paid to the workers. Also, most producers worked in their operations, so it was often difficult to separate the two groups.

Some of the above efforts in the pulpwood producing sector did involve unions, while other attempts appeared to be independent action undertaken by the producers. Most union-initiated efforts were undertaken by the two lumber unions, by virtue of their juris-diction over woods workers in the West. For instance, the Carpenters' Union (the parent union of the Lumber and Sawmill Workers) attempted to organize Lake States pulpwood producers in the late 1950's. At the same time, the IWA tried to extend organization into woods operations (and sawmills) in the South. But a few efforts involved unions which represented workers in the pulp and paper mills. The CIO Paperworkers, for example, tried to represent the pulpwood producers supplying a mill where it represented plant workers in Virginia in 1953 (U.S. Senate, 1959).

Recent activity in the Lake States exemplifies organizing efforts initiated by pulpwood producers. In early 1966, an abortive attempt was made to form an organization called the Timbermen's Unity Association composed of wood producers across a four state area (Upper Michigan, Wisconsin, Minnesota, and North Dakota) (Escanaba Daily Press, February 24, 1966). In 1967, pulpwood producers in Lower Michigan formed the Michigan Pulpwood and Loggers Association to negotiate with buyers of wood in the state. No bargaining action took place, but the following year the organization affiliated with the Teamsters' Union to work towards unionizing forest workers throughout the state. Also, a group of producers in Minnesota, the Northern Minnesota Pulpwood Producers Association, attempted a boycott of a local pulpmill in 1969 (Northern Logger, 1969).

Such organizational efforts, including the attempts by the unions, failed primarily because of the competitive nature of the harvesting sector and the resulting difficulties of organizing it.

But an added influence was a conflict over the legality of producers forming a bargaining organization, particularly when it was associated with a union. The attempt to organize producers in Virginia by the Papermakers' Union in 1953, for example, was blocked by a ruling of the National Labor Relations Board. It stated that the pulpwood producers in this situation were independent contractors selling a product and, hence, were not eligible for collective bargaining rights under the National Labor Relations Act. Although not affiliated with a union, the boycott of the Northern Minnesota Pulpwood Producers Association in 1969 was ended by a preliminary injunction of a U.S.

District Court because its attempt to secure a price increase was stated to be illegal under the Sherman Antitrust Act (Randall, 1969). This latter development also apparently discouraged any bargaining action contemplated by the Michigan Pulpwood and Loggers Association (Escanaba Daily Press. May 8, 1969).

In effect then, there has been little change in the degree of unionization among lumber and woods workers since World War II. Despite the numerous and varied approaches toward collective bargaining, successful penetration of labor organization as a whole into unorganized areas has been negligible.

Data on unionized employees are not available, but estimates from various sources give some indication as to the extent of unionization that does exist. As noted previously, a BLS survey in 1964 found approximately 70 percent of the lumber and logging workers in establishments employing 20 or more workers in five western states (California, Oregon, Washington, Idaho, and Montana) were unionized. However, since smaller companies were excluded and are generally unorganized, the actual extent of organization would be somewhat less than 70 percent. Also, the percentage varied among regions within the five state area as follows: 75 percent in the Douglas-Fir region, 60-80 percent in Western Pine, and 33 percent in the Redwood region.

The extent of organization recedes from the West into other regions of the country. Among the harvesting operations, Wyoming is predominantly organized, and South Dakota is about 20 percent unionized (Riedesel, 1966). In the Lake States, only about 5 to 10 percent of

the woods laborers are unionized in Minnesota (Blyth, 1964). Elsewhere, organized woods labor is negligible. A few industry-operated experimental harvesting operations in the South do have unionized employees (Wiley, 1967). Among all types of harvesting operations in the South, the number unionized is trivial. A somewhat greater degree of unionization exists in the mills, as some larger plants in all the regions have union-represented employees. One-eighth of the workers in southern sawmills and planing mills were covered by collective bargaining agreements in 1965 (BLS, 1966).

There are indications, however, that unionization is increasing in the southern milling operations. Preliminary results of a recent survey among southern sawmills and planing mills by the Bureau of Labor Statistics showed that the proportion of workers covered by collective bargaining agreements had increased from one-eighth of the work force in 1965 to one-sixth in 1969 (Monthly Labor Review, 1970). Among the reasons for this increase has been the gradual disappearance of the small portable mills, and the consolidation of processing facilities and timberlands by larger companies. number of sawmills in the South declined from 24,000 in 1947 to 5,000 in 1967 (Howard, 1970). Those that remain are larger and more stable establishments. Furthermore, the large western lumber companies have been buying out many of the remaining old family controlled firms in the South. These companies have had unionized operations in the West for many years, and, hence, are more apt to accept unionization as compared to the resistance of the typical southern family-owned lumber operation.

The International Woodworkers of America and the Lumber and Sawmill Workers of the Carpenters' Union represent most of the lumber and woods workers who are organized. However, there are a few instances where some workers are represented by the pulp industry unions, the International Brotherhood of Pulp, Sulphite and Paper Mill Workers and the United Papermakers and Paperworkers (Howard, 1970).

The IWA and the LSW appear to have about the same membership strength. The latest labor union directory published by the Bureau of Labor Statistics shows 51,037 members in the United States for the IWA. 15 A separate listing for the LSW of the Carpenters' Union is not included, but it also appears to have a membership of about 50,000 (The Rebel, 1970). Members of both the unions are concentrated in the West, where the IWA is strongest in the Douglas Fir and Redwood areas, and the LSW predominates in the Western Pine region. Outside the West, the IWA represents organized sawmill and woods laborers in Minnesota and claims most of the unionized workers in the South. The LSW or Carpenters also represents workers in some wood processing plants in the other regions.

Concerning the make-up of the membership of the two unions, woods workers are a majority in the IWA, whereas the LSW is primarily composed of mill employees. In 1959, two-thirds of the IWA members were woods workers and one-third mill workers. Conversely, two-thirds

<sup>15</sup>Both the unions also represent a large number of workers in Canada, where lumber and harvesting operations throughout the country are more unionized than in the United States. The IWA claims 44,559 members in Canada, giving it a total membership of 95,596.

of the LSW members were mill workers and one-third woods workers (Kleinsorge, 1959).

# Comparison of National and Forestry Labor Organization

The preceding sections briefly trace the history of unionization nationally and in the forest industries. In general, development of labor organization in the forest economy has been less successful than in most major manufacturing industries. Nonetheless, there has been considerable variation among the different segments of the forest economy. Developments in the pulp and paper industry followed closely the pattern of union organization nationally, while developments in the harvesting sector showed the greatest divergence.

A stable form of union organization did not occur until the end of the nineteenth century. Prior to this time, the development of all union organization was arrested by such influences as immigration, free land, a spirit of individualism, and government hostility toward labor organizing efforts.

As production processes became industrialized, the organization of skilled workers into craft unions by the AFL proved to be moderately successful. But continuing immigration, government and employer opposition left most unskilled workers unorganized. This pattern was followed in the pulp and paper industry with the successful organization of the machine operators in the 1890's, but no such organization was established in the lumber and harvesting sectors. The absence of sufficient numbers of skilled tradesmen, the migratory and seasonal characteristics, and the isolated location of operations were additional factors which helped to defeat the establishment of labor

organizations in these sectors. Because of the environment created by these conditions, however, a different type of unionism was attempted in the form of the IWW.

Organized labor came into its own in the 1930's. The decline of immigration in the 1920's, the social unrest arising from the depression, and the government encouragement of labor organization set the stage for an upsurge in unionism. The continued industrial-ization and growth of mass production techniques also aided the estabblishment of industrial unionism at this time.

As a part of the rise in unionism nationally, the forest economy also experienced its major period of labor organization. The greatest unionization took place in the pulp and paper industry. The processing plants making up the lumber industry were highly organized in the West, while organization in other regions was confined mainly to large plants. The organizing of workers in the harvesting sector, for the most part, was only successful in the West.

The greater success of unionization in the pulp and paper industry and in the processing operations in the lumber industry was consistent with the higher organizing success unions experienced in manufacturing. Because of the factory situation, workers in these sectors had more in common with manufacturing workers across the country than those strictly employed in woods work.

In contrast, the experience of labor organization in timber harvesting corresponds more closely to the situation in agriculture. Factors such as small and scattered employing units, seasonal and unstable employment, relatively unskilled work, and surplus labor in

producing areas are among similar reasons why farm labor and woods labor outside of the West were not organized. Of course, this similarity is not surprising since farm and woods workers often constituted the same labor supply.

Unions were able to organize woods workers in the West primarily because of the large and integrated company operations. Because of the different industry structure which had evolved elsewhere, organizing efforts often took a different approach. With a large number of small firms, many consisting of self-employed workers, unions and/or independent groups tried to organize producers to bargain with wood buyers. But these were ineffective because of the reasons listed in the previous paragraph, and also due to legal conflicts.

These, then, are special factors which have limited labor organization in the timber harvesting sector. Although early organizing efforts were influenced more by retarding forces nationally, the failure of organizing activities over the last three decades can be attributed to specific conditions within the timber harvesting environment. But these conditions have been changing. The supply of woods labor has become limited. And the trend has been toward fewer and larger producers. Because of these and other changes, the next chapter will examine in more detail the factors that are likely to influence the establishment of labor organizations in the timber harvesting sector.

#### CHAPTER III

# CONDITIONS AFFECTING ORGANIZATION FOR COLLECTIVE BARGAINING IN TIMBER HARVESTING

This chapter primarily examines current conditions concerning those factors which have affected the establishment of labor organizations in the timber harvesting industry. Special emphasis is placed on the pulpwood harvesting sector. Discussion will cover the formation of producers' associations for collective bargaining purposes as well as the conventional organization of employees into unions. While the former is not a labor organization in the usual sense, <sup>16</sup> it is a possible collective bargaining force in the timber harvesting industry. The factors to be examined are grouped according to the following areas: market structure and character of competition, technological considerations, wider community institutions, and other environmental factors.

<sup>16</sup>Legally, the term "labor organization" refers to any group dealing with an employer. As defined in Section 2(5) of the Taft-Hartley Act of 1947, "The term 'labor organization' means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work." The producers' associations are more of an employers' organization, formed for purposes of bargaining with woodbuying companies. However, the distinction is not always clearly evident because associations are often informally organized, include many self-employed workers and employees to gain support against woodbuyers, and, occasionally, have attempted affiliation with labor unions.

#### Market Structure and Character of Competition

In general, where the market structure is characterized by direct employment of woods workers by wood-using companies (i.e., company harvesting operations), unionization is most prevalent. This was recognized as one of the factors which facilitated the organizing of workers in the West in the 1930's, and appears again in what unionization is present in the South. Significantly, when unionization declined somewhat on logging operations in the West in the 1950's, one of the contributing factors was an increased emphasis toward contracting of harvesting operations (Levinson, 1966). As market organization has an important bearing on unionization, this section will examine the basic marketing structure and trends in pulpwood timber harvesting.

## Wood Procurement Methods and Trends

Procurement of wood through company harvesting operations is one of three basic methods by which companies meet their raw material requirements. The other methods involve direct purchases from independent producers, and purchases through intermediate market agents or dealers.

There are a number of variations within the three basic procurement systems. For example, dealers may be classified as agent middlemen or merchant middlemen, depending upon whether they take title to the wood they transfer between producers and primary manufacturers. Pulp companies may receive a portion of their raw material supply in the form of chipped residues from other wood-using plants. These industrial suppliers enjoy the privileges of dealers. Company

owned timberlands or company purchased stumpage may be harvested by contractors rather than company crews. And some individuals or firms in the procurement systems may perform dual functions, such as producer-dealers.

The components of these procurement systems are distinguished by the different marketing functions performed. In legal terms involving employer-employee relationships, however, differences between market agents are less noticeable.

For instance, producers and contractors are considered as separate market agents (Manthy, 1965). A producer harvests stumpage owned or purchased in his own name and sells his product at a designated point. A contractor, on the other hand, harvests stumpage owned or purchased by another party (a company or dealer) and is paid on a fixed-price or piece-rate basis. But from the point of view of a pulpmill which may be receiving wood from contractors cutting on its land and from producers, the legal relations with both are those of independent contractors. Neither are interpreted as mill-employee relationships. The same legal relationship also applies between a mill and dealers. Only in the case of a company harvesting crew does a mill-employee relationship explicitly exist.

The effect of the various procurement systems, except in the case of company operations, is that woods labor responsibilities are delegated to many small producers. These procurement systems may

<sup>17</sup>This is not a clearly defined area, however, particularly in the case of contractors. In general, the right to control activities of the harvesting operation is the primary test of the employer-employee relationship, but a number of secondary tests may be necessary to determine the relationship in a specific situation (The Timberman, 1959).

represent the only feasible alternative in areas where pulpmills receive their wood supply primarily from small, scattered private woodlands. Where companies own or have cutting rights to substantial blocks of timber, however, the choices of company operations and/or contractor systems are also available. By contracting, companies may avoid capital investment in harvesting equipment, and again labor responsibilities and obligations are shifted to the contractor. And one of the considerations in favoring the use of contractors is the unionization of woods labor (Wackerman, et al., 1966). 18

Procurement through the various independent agents presently accounts for most of the pulpwood produced in the country. Of all pulpwood production, only about nine percent comes from pulp and paper company operations (Spanjer, 1969). Between 15 and 20 percent of pulpwood receipts at pulpmills is purchased direct from producer operations (Bromley, 1969). The remaining pulpwood production is procured through dealers, including the 27 percent of pulpwood receipts obtained from chipped residues of other wood-using plants (Hair, et al., 1971). These proportions, however, vary among the different regions.

Northeast. --All of the basic wood procurement systems are used in various areas in the Northeast. Overall, about 30 percent of the region's pulpwood requirements is produced by company and contractor operations, while 70 percent is purchased from independent producers or

<sup>&</sup>lt;sup>18</sup>Even in Canada, where much of the pulpwood harvesting is done on Crown lands by pulp and paper company crews (which are usually unionized), a trend toward contracting has been hypothesized (Northern Logger, 1970).

through dealers (Swan, 1969). The latter figure includes about 10 percent from chip producers.

Company and contractor operations are centered in Maine where forest industries own 38 percent of the commercial forest land (Schroeder and Corcoran, 1964). In other areas, producer and dealer systems are more prevalent. Pulpmills in Pennsylvania, for example, obtain 62 percent of their pulpwood requirements through dealers, while the remaining 38 percent is bought direct from producers (Strauss, 1969).

Although there has been a reduction in the number of part-time producers in recent years, the only significant shift in the proportions of wood supplied through the different procurement systems has been an increase from chip producers.

North Central. -- The procurement system most prevalent in the Lake States and Central States areas is direct purchases from producers. A study of pulpwood marketing by Manthy and James (1964) showed Lake States pulpmills got 57 percent of their pulpwood direct from producers, 26 percent through dealers, 15 percent from contractors, and less than one percent from company crews. Central States mills obtained 86 percent of their wood receipts from producers and the rest from dealers.

More recent studies within the region indicate that receipts from producers and contractors has increased while dealers and company operations have declined (Engelhard, 1969; Granskog and Manthy, 1970). Chip producers have also become significant, accounting for 11 percent of total pulpwood production in the North Central region in 1969 (Blyth, 1970).

South.--In contrast to the North Central region where the dominant procurement system is direct purchases from producers, most southern pulpwood is supplied through dealers. In the early 1960's, for instance, dealers supplied 85 percent of pulpmill receipts in the Southeast (Manthy, 1965) and 46 percent in the Tennessee Valley (Schnell, 1963). All roundwood received by Texas pulpmills in 1965 was purchased through dealers (Rawlins and Sorensen, 1968).

Recently, however, procurement through other systems has increased. Greater mechanization has increased output from full-time producers and has resulted in more direct purchases from producers. Chip producers now provide 20 percent of total pulpwood production (Hair, et al., 1971). Company operations have appeared in the last decade and produce about one percent of total production, although their expressed purpose is primarily for experimenting with new machines and production methods. Contractors have also become more important in harvesting company-owned timberlands.

Pulp and paper companies own over 25 million acres of timber-land in the South and have leases or long-term cutting contracts on several million acres. While an increasing proportion of such timber is being harvested by company operations and contractors, much of it is "sold" to dealers and producers, who in turn "sell" back pulpwood that is harvested.

West.--Pulpwood procurement in the West differs markedly from other regions. Pulpmill requirements are filled largely by low quality sawlogs from logging operations and residuals from sawmills and other wood-using plants. Sixty percent of the pulpwood production in 1970 was from chips (Hair, et al., 1971).

Specific harvesting and selling of pulpwood through producer and dealer systems are not common in the West. Company harvesting crews and contractors (often called "gypoos") are responsible for most of the timber production.

## Market Behavior

Mechanization of the pulpwood harvesting operations that has occurred throughout the United States has placed more emphasis upon full-time verses part-time producers, and in some regions, has led to more direct purchases from producers. The utilization of wood manufacturing plant residuals for pulpwood has provided an additional source of raw material which has supplemented an increasing harvest of roundwood to meet rising demands for pulp and paper products.

The bulk of the pulpwood harvest continues to be undertaken by producers. Even where wood-using companies have integrated vertically by acquiring timberlands from which they can supply a portion of their wood needs, they generally have not chosen to undertake the actual harvesting operations. Contracting the harvest to independent producers or selling stumpage to producers or dealers provide the basic means of harvesting such lands. In some instances, however, pulpmills have provided financial assistance and other aids to assist producers in meeting the increased capital requirements of recent mechanization.

With many small firms engaged in harvesting pulpwood, a highly competitive situation exists at the producer level or selling side of the pulpwood market. On the buying side, the market is oligopsonistic, having relatively few pulpwood consuming firms. The few buyers of

pulpwood are in a good position to administer prices, while the multiplicity of producers virtually assures that they will be price-takers.

In the past years, various systems of administered pricing have prevailed, and the cost of wood purchased from independent producers and dealers was cheaper than wood harvested by company operations (Guttenberg, 1970). More recently, expansion in the pulp and paper industry has increased competition somewhat in the buying side of the pulpwood market, and pulpwood prices have been rising. Even so, such increases for the most part still only reflect inflation, as the real cost of pulpwood has remained relatively steady over the past two decades (Hair, et al., 1971).

In view of the market structure, the difficulties of unionizing woods labor are quite apparent. Because of competitive pressures, profit levels of many producing firms are low or may even be non-existent. Since producers typically work in their operations, their "profits" may amount to little more than ordinary wages. Hence, the producers' ability to pay higher wages is limited; and their resistance to unionization is understandable as it may compromise their own wages.

The low earnings of workers in regions where wood procurement from independent agents predominates is shown in Table 4. Average hourly earnings are the lowest among workers in the North Central and Southern regions, where almost all wood supplies are obtained from producers or through dealers. The depressed wages of workers in these regions can also be seen from another point of view. Table 5 shows the average wages per man-hour by size of operation. As might be expected, wages are lowest on the small operations. And from what breakdown of establishment size by region is available, the highest

Table 4.--Average hourly earnings of woods workers, by region, 1967. a, b

	Production workers		
Region	Man-hours	Wages	Average hourly earnings
	(Millions)	(Million dollars)	(Dollars)
Northeast	13.5	28.6	2.12
North Central	8.4	15.8	1.88
South	48.1	85.1	1.77
West	56.0	177.2	3.16

<sup>&</sup>lt;sup>a</sup>Source: U.S. Bureau of the Census (1970). Census of Manufactures, 1967. Logging camps, sawmills, and planing mills. Industry series MC 67(2)-24A.

<sup>&</sup>lt;sup>b</sup>Data are from SIC 2411, logging camps and contractors.

Table 5.--Average hourly earnings of woods workers, by size of establishment, 1967.

	Production workers		
Size class	Man-hours	Wages	Average hourly earnings
(No. of employees)	(Millions)	(Million dollars)	(Dollars)
1 - 4	34.9	62.7	1.80
5 <b>-</b> 9	20.5	42.1	2.05
10 - 19	20.4	47.9	2.35
20 - 99	35.0	100.7	2.88
100 or more	15.1	53.5	3.54
All classes	125.9	306.8	2.44

<sup>&</sup>lt;sup>a</sup>Source: U.S. Bureau of the Census (1970). Census of manufactures, 1967. Logging camps, sawmills, and planing mills. Industry series MC 67(2)-24A.

proportion of small harvesting operations are in those regions where wood procurement from independent agents prevails (Table 6).

Although the economic incentives are apparent, the marketing organization and conditions weaken the potential of unionizing the employees of independent producing operations. But at the same time, it has brought about organizing attempts of a different nature—that of associations of producers or producers and their employees. This stems from the producer's position as a price—taker, rising production costs, and the producer's relationship as a fellow worker with his employees. Basically, these are attempts to apply collective bargaining principles in the sale of pulpwood between producers and pulpmills. However, the competitive nature of the producing sector has likewise adversely affected these efforts (and so too have legal factors, which are examined later).

## Technological Considerations

Besides the direct employment of logging workers by the woodusing companies, other factors associated with the greater degree of
unionization of woods labor in the West were the large size and
capital-intensive nature of operations. Unsuccessful unionizing efforts outside the West were attributed in part to the small scale of
most harvesting operations and the utilization of labor-intensive
systems (made economically feasible by abundant labor supplies).
Hence, changes in production methods and increased mechanization in
other regions might enhance labor organization developments. This
section will consider the effects of recent mechanization and accompanying developments in firm size.

Table 6.--Number of logging establishments, by region, 1967.a

	Number of establishments		
Region	1 to 19	20 or more	Total
<del></del>	employees	employees	
Northeast	1,483	57	1,540
North Central	1,393	29	1,422
South	9,963	137	10,100
West	2,897	375	3,277
Total	15,736	598	16,334

<sup>&</sup>lt;sup>a</sup>Source: U.S. Bureau of the Census (1970). Census of Manufactures, 1967. Logging camps, sawmills, and planing mills. Industry series MC 67(2)-24A.

#### Mechanization

Large capital investment in western operations was initially required just to finance the specialized equipment needed to handle the large diameter timber typically found in the West. The heavy capital requirements and the extensive company ownership of timber-lands combined prompted wood-using firms to log on their own account. The large fixed costs required continuous operations, which resulted in a greater susceptibility to unionization.

In recent years, particularly the last decade, harvesting operations throughout the country have become increasingly mechanized.

Depending upon location, rising labor costs and/or a limited availability of manpower coupled with a rising demand for wood has spurred the need for mechanization. The Census of Manufactures shows that annual new capital expenditures by logging establishments rose from \$68.4 million in 1958 to \$101.5 million in 1967 (Table 7), 87 percent of which was spent on new equipment. New capital expenditures for logging in 1967 were \$1,438 per employee, whereas the ratio for all manufacturing in that year was \$1,163 per employee (U.S. Bureau of the Census, 1971). The difference between these ratios indicates the rapid degree of mechanization taking place in timber harvesting.

Accompanying the trend toward capital-intensive harvesting systems has been other changes in woods operations. Timber output has increased while employment has remained relatively steady, indicating a rise in productivity. During the period from 1958 through 1967, logging employment fluctuated slightly above 70,000 while the value of shipments rose from \$868 million to \$1,476 million (Table 7). Even

Table 7.--Employment, output, and capital investment in the logging industry, 1958, 1963, and 1967.

Year	All employees (Thousands)	Value of shipments (Million dollars)	New capital expenditures (Million dollars)
1958	71.7	868.3	68.4
1963	73.1	1,154.7	95.6
1967	70.6	1,476.3	101.5

<sup>a</sup>Source: U.S. Bureau of the Census (1970). Census of Manufactures, 1967. Logging camps, sawmills, and planing mills. Industry series MC 67(2)-24A.

in 1957-1959 dollars, the values rose from \$864.8 million to \$1,391.4 million. Productivity on Southern pulpwood operations, for instance, rose from 1.76 cords per man-day in 1960 to 2.30 cords per man-day in 1968 (Bromley, 1970). Mechanization has also meant more stability in harvesting operations. Seasonality has been reduced, the work year lengthened, and, hence, the proportion of full-time producers has risen. Along with these changes has occurred a change in labor requirements. New machinery and methods of production require more skilled labor to operate and maintain equipment.

#### Size of Operations

Mechanization appears to have alleviated some of the obstacles which have confronted efforts to unionize woods labor. Stable operations dependent on skilled labor offer a favorable climate for union organizers. If accompanied by an increase in firm size, unionization would be more feasible than previously, even on independent producer

operations. However, it should be noted that, in general, large firms or plants are more susceptible to unionization than are smaller ones (Cleland, 1955).

In terms of employment, Census of Manufactures data indicate that the size of most logging establishments is not increasing (Table 8). In fact, establishments in the smallest category show a substantial increase from 1963 to 1967. However, this increase may have been partly a result of a change in data collection methods of the 1967 census. In previous censuses, all data were obtained from reports mailed to establishments identified as logging employers on Social Security Administration records. The figures for "logging camps and logging contractors" excluded part-time, self-employed and final product manufacturer-employed loggers. But for the 1967 census, firms with less than 10 employees were not required to file reports. Data for these establishments were obtained from records of other government agencies (the Social Security Administration and the Internal Revenue Service) and estimated from industry averages. The increase in establishments employing from one to four workers in 1967 may represent the inclusion of many self-employed loggers not previously recorded, rather than the creation of new firms. 19

In any case, while the number of establishments increased, logging employment remained relatively steady. As previously noted, total employment varied little from 1958 to 1967. Thus, the overall

<sup>19</sup>Most of the increase came in the South, where establishments employing from 1 to 20 workers increased from 6,407 in 1963 to 9,963 in 1967. This increase took place mostly in the size class from 1 to 4 workers, since this category was the only one showing an increase in Table 4 in the range from 1 to 20 employees (U.S. Bureau of the Census, 1970).

Table 8.--Trends in number of logging establishments in the United States, by employment size, 1958-1967. a

	Number	of establi	shments
Size class	1958	1963	1967
(No. of employees)			
1 - 4	8 <b>,</b> 959	9,546	13,120
5 - 9	2 <b>,</b> 295	2,368	1,741
10 - 19	997	1,117	875
20 - 99	514	518	55 <b>7</b>
100 or more	40	39	41
Total	12,805	13,588	16,334

aSources: U.S. Bureau of the Census (1961); U.S. Bureau of the Census (1966); U.S. Bureau of the Census (1970).

average size of harvesting operations, in terms of employment, is decreasing.

Small harvesting operations account for a substantial proportion of total employment (Table 9). Fifty-nine percent of all employees are found in establishments employing fewer than 20 workers. By comparison, only 25 percent of the total employment for all industries reporting under Social Security in 1968 is in establishments employing fewer than 20 workers (U.S. Bureau of the Census, 1970). Forty-one percent of the estimated logging employment occurs on operations with 20 or more workers, most of which are located in the West (Table 6). As previously noted, the large western operations are the most unionized.

The outlook for unionization then, in terms of firm size as measured by employee numbers, would appear to be little changed. The small size of most establishments and the trend in firm size continues to be a negative influence in organizing woods labor.

## Wider Community Institutions

The legal system and related institutions have been prominent among the exogenous factors affecting collective bargaining efforts in timber harvesting. As with labor in general, the unionization of woods workers was unfavorably affected by legal developments, particularly in the courts, until the 1930's. But the passage of the Wagner Act guaranteed the legal right of most workers, including employees in harvesting operations, to bargain collectively with their employers, if they elect to do so.

Table 9.--Percent distribution of logging establishments and employment, by employment size class, 1967.

Size class (No. of employees)	Percent of establishments	Percent of employees
1 - 4	80.3	26.1
5 - 9	10.6	16.3
10 - 19	5.4	16.3
20 - 99	3.4	28.5
100 or more	.3	12.8
Total	100.0	100.0

<sup>&</sup>lt;sup>a</sup>Source: U.S. Bureau of the Census (1970). Census of Manufactures, 1967. Logging camps, sawmills, and planing mills. Industry Series MC 67(2)-24A.

Recently, legal issues have been a determining factor with respect to collective bargaining attempts by pulpwood producers. The legality of producers joining together to bargain over the sale of their wood, whether as an independent organization or as an affiliate of a labor union, has been challenged. An attempt by a union to organize pulpwood producers in West Virginia was defeated when the National Labor Relations Board ruled that the producers were independent contractors and not employees (U.S. Senate, 1959). Independent contractors are not eligible for collective bargaining rights under the National Labor Relations Act. This case, of course, related specifically to producers attempting to bargain as union members or as a part of a union. But a bargaining effort by pulpwood producers in Minnesota not connected with any labor union was also blocked upon legal grounds (Randall, 1969). The Northern Minnesota Pulpwood Producers Association boycotted a pulpmill to stabilize weight specifications for wood sold to the mill and to secure a price increase. In this case, a United States District Court issued a preliminary injunction against the association on the basis that its boycott to secure a price increase was a combination of conspiracy illegal under the Sherman Antitrust Act.

A question raised by these cases is whether pulpwood producers have the legal right to organize for purposes of bargaining over the

sale of their product. 20 The Sherman Act and other antitrust laws clearly forbid any contract, combination, or conspiracy in restraint of trade. Any attempt to fix prices is illegal per se. Unions, for the most part, are exempt from the antitrust laws. But the prospects for producers to bargain as union members appears dim. As long as they have the status of independent contractors, they do not qualify as "employees" and are not protected by the National Labor Relations Act (Myers, 1968). The courts have also held that unions are still subject to antitrust laws where they combine with a nonlabor group to achieve some commercial restraint (Northrup and Bloom, 1963).

The temporary injunction issued against the pulpwood producers in Minnesota suggests bargaining by independent associations of producers, particularly over prices, is highly susceptible to the threat of antitrust action. But that situation also involved restraining producers who were not members of the particular association from delivering wood. Whatever the event, producers' associations probably have little resources to do legal battle; and even if an issue is pursued, the time that passes before their case can be heard may in itself defeat the effectiveness of their organization. Such a

<sup>&</sup>lt;sup>20</sup>It should be stressed that the point of concern here is over the specific purpose of bargaining with wood-buyers. Producers, of course, may form non-bargaining associations or may have several other objectives besides bargaining. Recently, for example, the New York State Timber Producers Association was established to provide group expression towards problems concerning timber producers there, such as the high cost of workmen's compensation insurance (Taber, 1971). On the other hand, a current effort to organize producers in the South, formerly the Alabama Pulpwood Producers Association and now the Gulfcoast Pulpwood Association, has been strictly for bargaining purposes.

development often resulted from injunctions granted by judges against labor unions in the nineteenth century.

Although the legality of the producer bargaining attempts mentioned has been questioned, there is at least one alternative by which some producers can legally organize as a bargaining association. Agricultural cooperatives enjoy special legal status under the antitrust laws (Robotka, 1958). Because of doubts concerning the legality of farmer cooperatives after the passage of the antitrust laws, the Capper-Volstead Act was passed in 1922 to authorize producers of agricultural products to form cooperatives for collectively marketing their products. This apparently included bargaining associations, as the National Farmers Organization (NFO) is an example of an association that functions primarily as a bargaining agent for its members. However, the Capper-Volstead Act does not completely exempt cooperatives from antitrust prosecution. For example, a cooperative is subject to prosecution by the Justice Department if it combines to restrain trade or establish prices by agreement with a noncooperative organization. Otherwise, only the Secretary of Agriculture has jurisdiction to take action against a cooperative if he believes that a particular association has monopolized or restrained trade to the extent that the price of any agricultural product is unduly enhanced. Furthermore, the protection of the act applies only to agricultural cooperatives and activities involving agricultural products.

Since forest products are classified as unprocessed agricultural products, forest cooperatives are also authorized under the Capper-Volstead Act. While this establishes a legal basis for timber producers to collectively market their products, they must meet the

requirements of a cooperative association (Dempsey and Markeson, 1969). For one thing, under authorizing legislation producers are interpreted as growers. They must own a portion of the timberlands from which they harvest products to qualify as members. This does not prevent an association from doing business with nonmembers, but the volume of such business can not exceed that of its members. While this limits the extent to which a cooperative may become an all-inclusive association of pulpwood producers the point is clear that producer-landowners and a number of others may legally combine to market their production. An example of a successful timber-products marketing cooperative has been the Au Sable Forest Products Association in Michigan (Josephson, 1963).

The legal issues concerning producers' associations fundamentally affect the organizing activities of employers and self-employed workers. This does not directly affect labor and is distinct from the organizing of employees. Successful producer organization may or may not be helpful to labor, depending upon the extent to which what is gained is passed on in the form of improved wages, fringe benefits, and working conditions.

Other legal enactments, not specifically related to labor organization, may indirectly encourage or discourage it. Because of a lack of organized groups representing those who work in timber harvesting in many areas, pressures for improvements in wages and working conditions have resulted from legislative decree rather than collective bargaining. Examples include workmen's compensation laws, wage and hour laws, and safety legislation. If improvements in wages and

working conditions indeed result from such laws, workers may question the need of organizing to achieve such benefits.

For instance, because of the high accident rate in the logging industry, it has been chosen as one of the initial targets of the new federal safety law, the Occupational Safety and Health Act of 1970. In 1967, for example, the injury frequency rate (disabling accidents per million man-hours worked) for logging was 58.3, well above the 14.0 rate for all manufacturing (Hogan, et al., 1971). Safety standards and requirements will be instituted for pulpwood and logging operations nationwide. Employers will have to provide protective devices and undertake practices to reduce the high accident frequency prevalent in timber harvesting operations. The law provides penalties for noncompliance, and employees may request federal inspections if there are suspected violations of the safety regulations by employers.

Woods workers have been less affected by wage laws because of the exemption of harvesting operations with eight or less employees from the minimum wage and overtime provisions of the Fair Labor Standards Act. But this could change with continuing efforts to expand coverage and raise minimum wages. When the Fair Labor Standards Act was amended in 1966 to provide for increasing the minimum wage, the size of the exemption for small logging operations was reduced from twelve to eight employees. In addition, state wage laws can nullify the federal exemption (Sharp, 1969).

<sup>&</sup>lt;sup>21</sup>Owing to the high accident rate, workmen's compensation rates for logging in many states are over \$20 per \$100 of payroll. State rates for logging in the Northeast have been assembled by Hogan, et al., (1971) and in the South by Pulpwood Production (1971).

By providing these changes in wages and working conditions, such legislation in effect supplants the functions of unions to a considerable degree. In the case of the new federal safety law, there is even a semblance of a grievance procedure. A worker can request a safety inspection, without his identity being revealed to the employer, if regulations are not being complied with. Hence, these laws provide some of the benefits normally provided by unions, and reduce what they have to offer to encourage new organization among woods workers.

While legal changes may reduce the incentive for workers to unionize, they may also precipitate efforts to form producers' associations, particularly when sharp increases in costs occur. While an organization so formed may be a spontaneous reaction to a specific problem, it may evolve to encompass other purposes. An example of this resulted from a change in the workmen's compensation law in Michigan. The state legislature amended the law in 1965 to provide for expanded coverage and increased benefits. Besides requiring many producers not previously subject to the law to carry workmen's compensation for their employees, the standard rate increased in two years from \$12.08 to \$27.24 per \$100 of payroll. Concern over the rising workmen's compensation cost was a major cause for the formation of the Michigan Pulpwood and Loggers Association in 1967. In the short run, the only means of alleviating the problem for the producers was for wood prices to increase. Although wood prices had increased initially, an oversupply of wood at the mills developed. Consequently, wood orders were significantly reduced and prices decreased. This, in turn, made bargaining with pulpmills a major aim of the producers'

association (and later brought involvement with the Teamsters Union).

Outside the legal sphere, community factors such as the type and amount of labor that is available play a determining role in labor organization. Historically the attraction of immigrant labor to the unskilled nature of woods work and the oversupply of rural labor were reasons why much of the woods labor force was not effectively organized. The lack of organization today in company pulpwood operations in the Northeast is probably due to seasonal labor imported from Canada, overshadowing the fact that company harvesting operations have been most readily unionized (e.g., in the West and on a smaller scale in the South).

In recent years, the status of the woods labor force has been changing. The long-term flow of workers from rural to urban areas has resulted in a significant reduction of woods labor. Concurrently, technological innovations and increased mechanization has raised the level of skill required of workers in harvesting operations. All in all, these changing conditions should make unionization more possible in areas where it has been absent. Even so, unionization in these areas will continue to be difficult as long as most harvesting operations are undertaken by independent producers who typically hire few men.

### Other Environmental Factors

Beyond the more tangible factors discussed, the general attitudes and climate that exist toward labor organization affect its development. Woods workers have been characterized as being rather individualistic and, hence, less inclined toward labor organization. Indeed, excluding the producers' associations, the attempts to extend unionization have largely been initiated by unions. Despite union efforts, grass-root support by woods workers has usually not been forthcoming.

Recent inroads by organized labor among public employees, teachers, and farm workers indicate that attitudes do change, however. Yet one aspect which is significant even in these cases is employment in a relatively large organization. Farm workers which have been organized are those working for large growers in the West, often corporate farms. Similarly, public employee unionism, such as among postal workers, represent a large group of employees working for a single employer. Similar situations which exist in timber harvesting have largely been unionized for some time.

Aside from economic reasons (wages, hours, working conditions, etc.), various social reasons can be determining factors in forming a worker's attitude toward joining unions. Among such influences are community size and location, the extent of unionization in the community, racial and national ancestry, favoritism or discrimination by employers, education, and financial status. For instance, the fact that some woods workers are unionized in Northeastern Minnesota is probably due partly to the strong tradition of unionism in the mining industry, which dominates the area. Generally speaking, however, workers in small, rural communities are less favorable to unionism.

The nature of the union can also affect organizational success. A charismatic leader, such as Cesar Chevez of the United Farm

Workers Organizing Committee, can inspire workers to organize. A concentrated and determined organizing drive backed by the resources of a major union such as the Teamsters can surmount obstacles which frustrate other unions.

Interunion relations has played an important role with respect to organizing woods labor. The rivalry between the IWA and LSW (Carpenters) drained their resources at the expense of extending organization. Similar conflicts could occur in the future with other unions if they organize woods workers in unorganized regions.

### CHAPTER IV

#### THE PROSPECTS FOR FUTURE ORGANIZATION

The last chapter discussed a number of factors affecting labor organization and collective bargaining in timber harvesting. This chapter will evaluate what the effects of these factors taken together portend for future organizing and bargaining developments.

## Labor Organization

As discussed in Chapter II, woods workers have primarily been organized on large company operations which are usually integrated with a processing facility. Unionized operations were found mostly in the West. The lack of organization in other regions was attributed mainly to factors such as small and scattered employing units, seasonal and unstable employment, relatively unskilled work, surplus rural labor, and legal obstacles pertaining to organizing self-employed workers and/or producers. The latter factors were associated with more labor-intensive technology and a market structure dominated by pulpwood harvesting.

The analysis of current conditions in Chapter III revealed that a number of changes are occurring. Some of them are in the direction of increasing the opportunity to unionize woods labor. Industrialization of agriculture has virtually eliminated seasonal employment opportunities which rural labor had alternated with woods work. Widespread

migration to the cities resulted. With less labor available, timber harvesting operations have become more mechanized. In turn, full-time operations have been encouraged by the large capital costs and the need to provide yearlong employment to attract and retain labor.

Associated with the trend toward mechanization is a rising demand for the better educated and skilled workers.

Despite recent trends, there has been little change in other factors which have been crucial in unionizing woods labor -- namely large and/or company controlled operations. First, as shown by Census of Manufactures statistics, the size of logging establishments has not been increasing. Moreover, the smallest establishments (1-4 employees) were increasing in number. At first, this may seem at odds with widely reported trends toward fewer and larger producers. But the latter trends and the Census figures are not irreconcilable. There has been a continuing reduction in the number of part-time producers (e.g., small farmers) who dominated the harvesting sector in years past. These part-time producers were not included in Census estimates for logging establishments, which represent primarily figures for fulltime, independent harvesting operations. The increase in the number of logging establishments in the Census reflects a heavier reliance upon full-time operators who have largely supplanted the farmers who cut wood part-time. Also, when trends toward larger operations are mentioned, reference is usually to increasing output size. The important measure of size in relation to unionization, however, is the number of employees. And as noted, employment size is not increasing. Almost 91 percent of the logging establishments accounted for in the 1967 Census employed fewer than ten workers.

Second, with respect to company harvesting operations, review of wood procurement trends showed no major shift toward company harvesting systems. Less than 10 percent of pulpwood requirements comes from company operations. Mechanized harvesting has created a heavy financial burden for producers. But for the time being, companies are leaning more toward providing financial assistance and technical advice rather than undertaking company harvesting operations. The South was one exception, where companies have recently increased harvesting activity, partly for experimental purposes and partly to gain acceptance for advanced harvesting systems.

A widespread shift to company harvesting operations is not likely in the immediate future. Taking the South for example, pulp companies will probably not get heavily involved in harvesting operations until their timberlands are converted to stands more suited to highly mechanized systems. Large overhead costs typically inherent in company harvesting demand a highly productive, continuous operation. Plantations are best suited to meet these requirements. The largest company involvement in harvesting in the South thus far has developed because of the need to thin plantations. When plantations which have been and now are being established mature, company operations may then emerge on a wide scale. So the most likely prospects for unionization may yet be some years away.

Still, it might be questioned whether the low wages of many workers in unorganized regions and hazardous working conditions might not be sufficient conditions to overcome the obstacles to unionization. However, these conditions may be alleviated to a degree by legislative enactments such as the new federal safety law and, perhaps, extension

of minimum wage laws to encompass all harvesting operations. If so, the benefits of unionization would be less apparent.

Although the potential for increased unionization of woods labor appears limited, this does not mean union pressures will be absent. The acquisition of timberlands by Western-based forest industries in other regions, particularly the South, will bring greater efforts to unionize industry workers in these less organized regions. Unions, however, will first concentrate on organizing mill labor in acquired sawmills and new plywood plants. Some of these facilities have already been unionized. The spread of organizing activities into woods labor can be expected among logging workers employed by the mills, but less so among the independent operations.

A complicating aspect which may weaken unionizing efforts overall is the possibility of rivalry between unions. With many forest products companies diversifying, notably pulp and paper companies acquiring sawmills and expanding into plywood operations, the major pulp and paper unions have organized some logging, lumber, and plywood employees. These workers have traditionally been the jurisdiction of the IWA and the LSW. What may agitate jurisdictional disputes between these unions is the support the IWA and LSW have given on the West Coast to the Association of Western Pulp and Paper Workers. That independent union was formed by workers who broke away from the two pulp and paper unions in 1964. What will happen remains to be seen as the IWA and the LSW intensify efforts to organize lumber industry workers in regions outside the West. Another potential rival of the IWA and LSW is the Teamsters' Union, which has shown interest in organizing

woods workers in Michigan. Disputes which may arise can be damaging in terms of conflicts for the same workers, as evidenced by the rivalry between the IWA and the LSW in previous years.

## Producer Organization

Perhaps of more immediate concern in the harvesting sector than unionization per se will be the formation of producers' associations. These are appearing with increasing frequency, and currently associations of various kinds are being formed in areas within the Lake States, South, and Northeast.

The organizations are not always bargaining associations, but by resolving legal difficulties they could become so. Still, beyond the resolution of legal problems, these organizations face obvious difficulties in gaining control of wood supplies. This is necessary to an effective bargaining association, and the competitive framework in which producers operate makes achievement difficult. This very condition has limited the success of farmers' bargaining associations. Yet timber producers occupy a strategic position in the market structure; and their product does not suffer the degree of perishability that most farm crops do, which enhances their withholding ability. Also, with full-time producers prevalent, they can better identify their common interests as opposed to the diversity in a harvesting system dominated by part-time operators.

The desire of producers to form bargaining associations, however, may depend in large measure upon what wood buyers do to help producers meet their problems. Price increases are not always the major concern. For example, a survey of high-volume pulpwood producers in Michigan revealed that long-term contracts, large volume contracts, closer relations with regular producers, and financial and mechanization aids were of more concern to these producers than price increases (Granskog, 1970). These problems can be alleviated largely by changes in wood procurement policies of pulp companies. Such changes help reduce instability for producers and permit them to provide better employment conditions and attain greater efficiency in production. Evidence of an increased awareness of problems in the harvesting sector by wood-buyers was reflected in the trends toward direct procurement from producers and contractors noted in the last chapter. The resulting closer involvement with producers enables wood-buyers to better control relations, show interest, and institute constructive and corrective action when possible.

Such action on the part of wood buyers is likely to continue. Indeed, one of the sidelights of the development of effective price bargaining by producers would be an increased interest by labor unions to organize employees of producers, particularly so if none of the benefits resulting from price bargaining are passed on to employees. The unions could view the producers' association as providing a means for labor to collectively bargain with many small employers, and serve as a channel to pass increased labor costs up the marketing chain.

### CHAPTER V

### SUMMARY

Despite an enduring low economic status of woods workers, labor organization has failed to develop as an influential force in the timber harvesting industry except in the West. Recently, however, organizing activity has been renewed in other regions of the United States. This study examines factors affecting past, present, and future organizing and collective bargaining activity in the timber harvesting industry.

## Development of Forest Labor Organization

Early development of labor organization in the forest industries as well as in other sectors was negatively influenced by several major factors. Heavy immigration, abundant free land, a spirit of individualism, and a hostile government attitude were particularly important in creating an environment which was adverse to the establishment of union organization.

From the latter part of the nineteenth century until the Great Depression, the organization of skilled workers into craft unions was moderately successful nationally. Except in the pulp and paper industry, however, a sustained labor organization in the forest economy did not succeed. The absence of sufficient numbers of skilled craftsmen,

the migratory and seasonal characteristics, and the isolated location of operations were special obstacles thwarting establishment of labor organizations in lumber and harvesting sectors.

An upsurge in unionism occurred nationwide in the 1930's. The social unrest arising from the depression (which had been preceded by a decline in immigration and industrialization of a large portion of the labor force) and the government encouragement of collective bargaining set the stage for widespread labor organization.

In step with the general rise in unionism, the forest economy also experienced its major period of labor organization. However, there was considerable variation among the various sectors. Unionization was most successful in the pulp and paper industry and, to a lesser degree, in the sawmill industry. These segments of the forest economy represented factory situations. Organizing success was least successful in the harvesting sector, limited largely to the West.

Unions were able to organize woods labor in the West where large and integrated company harvesting operations prevailed. In other timber producing regions, organizing efforts were weakened by the small, scattered, and independent operations; seasonal and unstable employment; relatively unskilled work, and surplus rural labor. Consequently, woods workers in these regions were, for the most part not unionized.

The extent of organization in the harvesting sector has changed little to date. In the West, union strength has weakened somewhat because of stagnant lumber markets, union rivalry, and increased contracting of harvesting operations. In other regions, organization efforts

have continued to be largely unsuccessful. Unions and/or independent groups have attempted to organize timber producers to enhance their bargaining power in dealing with wood buyers. But these have also been ineffective due to competitive conditions and legal obstacles.

# Conditions Affecting Organization

While the extent of woods labor organization has not increased, there have been changes in the factors affecting organization in the timber harvesting industry. Some changes appear to enhance the opportunity to increase organization, while other trends suggest continuing difficulties.

Examination of the pulpwood market structure showed that over 90 percent of mill receipts comes from independent agents. Hence, the employment of woods labor is spread among many small legal entities. Despite increased capital requirements of recent mechanization, no major shift toward company harvesting operations has occurred. The market continues to be dominated by few buyers and many producing firms. Thus the terms of trade rest heavily in favor of the pulpwood buyers.

Among technological changes, increased mechanization of harvesting operations was most evident. In 1967, for instance, new capital expenditures for logging were \$1,438 per employee, well above the \$1,045 per employee for all manufacturing during the same year. Along with the upward trend in mechanization, full-time operations, output size, and skill requirements for workers have also risen. But the size of operations, as measured by employment numbers (most crucial in relation to unionization), is not increasing. While the number of

logging establishments rose between 1958 and 1967, employment remained relatively steady. And the logging establishments which were smallest in size (1-4 employees) showed the largest numerical increase.

Several legal factors were found to have significant effects on organization efforts, particularly in regard to bargaining associations of producers. Such associations have been susceptible to antitrust action, depending upon how they are formed. Union affiliation for purposes of price bargaining, for example, looks dim. As long as producers have the status of "independent contractors" they do not qualify as "employees" and are not entitled to bargaining rights under the National Labor Relations Act. Furthermore, unions are subject to antitrust prosecution where they combine with a nonlabor group to achieve some commercial restraint.

The formation of independent associations of producers for bargaining is less clear. Events have shown the legality of such organizations has been questioned on antitrust grounds. However, a measure of protection from antitrust prosecution is available to associations formed as forest cooperatives. As long as the requirements of a cooperative association are met, the Capper-Volstead Act authorizes the producers of agricultural products (which includes forest products) to join together to collectively market their products.

Legal factors other than those directly concerned with organizing activities can also influence labor oganization development.

Particularly noteworthy in this respect has been the enactment of the new federal safety law. Provisions therein aimed at reducing the high accident frequency rate in timber harvesting could reduce the incentive

of woods workers to organize if improvements in working conditions result. Likewise, if further amendments to the minimum wage laws encompass all harvesting operations, benefits from unionization could be supplanted to a considerable degree.

The reduction in the woods labor supply is a factor which can make unionization more feasible in unorganized regions than previously. Labor shortages present an effective bargaining position. From the long-term flow of rural labor to the towns and cities, available woods labor supplies have become limited.

The general feelings and attitudes workers may have toward labor organizations also affect its development. A wide variety of social conditions can influence a particular situation. As a rule, however, woods workers have traditionally been quite individualistic; and the social environment in which they are usually located has been less favorable to unionism.

# Future Prospects

Despite changes in the status of factors affecting organization in the timber harvesting sector, the potential for increased unionization of woods labor appears limited. On the other hand, the advent of producers' associations seems more imminent.

Two elements restrict unionization potentials among woods workers. No major shift to company harvesting systems, which present the best opportunity for unionization, has yet occurred. And perhaps, the shift may not occur until regionwide improvements in forest resources are at hand. Among independent harvesting operations, the

continuing small employment size leaves few favorable situations in this area.

Timber producers faced with increased pressures and responsibilities in timber harvesting today are turning to collective action to provide solutions for their problems. The extent to which the organizations they form evolve into bargaining associations, however, may depend in large measure upon what strategies wood buyers adopt to help producers meet their problems.

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