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WAGE AND HOUR DIVISION
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ADDRESS SCHEDULED FOR DELIVERY BY ELMER F. ANDREWS, ADMINISTRATOR
WAGE AND HOUR DIVISION, U.S. DEPARTMENT OF LABOR
Before the
NATIONAL CONFERENCE OF NEGRO RAILROAD WORKERS
WASHINGTON, MAY 19, 1939, AT 11:30 A.M.

In the industrial transition of the last two decades, history will record, I think, that no one has been more vitally affected than the American Negro.

Prior to 1917 the Negro typically was an agricultural worker domiciled in the South, eking out a precarious existence as tenant farmer or share cropper.

The same World War that withdrew four million young Americans from productive pursuits stimulated all sorts of business enterprises and an acute labor shortage was felt in the Northern industrial centers. The Southern Negro above or below the service age rushed in, or was lured in, to fill the vacuum.

How extensive was this migration is revealed by the census reports. In the decade 1920 to 1930, the Negro population of Akron increased by 98 percent. New York's Negro population growth was 115 percent. Detroit gained 194 percent, Buffalo 200, Milwaukee 236 percent. The plantation Negro, his feet unshod, his pants held up by virtue of a one-strap "gallus" and a nail,—a legendary figure forever happy and carefree—survives in song and fable, but he is no longer typical of his race, if he ever was. The Negro of fact has laid aside his banjo and his hoe put on store clothes, and literally "gone to town" to seek a larger share in the Nation's wealth.

One impressive effect of the migration and the acquisition of new habits of life and higher standards of living has been a flowering of Negro genius without parallel in American history. To mention the names of Paul Robeson, of Rosamond and James Weldon Johnson, of Langston Hughes, of William Pickens, of Marian Anderson is to no more than suggest the measure of the efflorescence. The whole Nation has been the gainer. And if material reward may be accepted as a measure of achievement, perhaps we may add the name of Joe Louis to the list.

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As to whether heredity or environment is the more potent factor in shaping the destiny of man there has been a long and somewhat tiresome debate. Those who adhere to the environmental theory certainly should find valuable ammunition for their side of the argument in the history of the Negro in America. Every time his environment has improved in terms of better food, better housing, better clothing, better educational opportunities, he has increased his cultural contributions to American life.

There is no secret, of course, about the reason for the warmth of the welcome extended to the Negro in the North and to those Southern whites in the lower economic strata who came along with him. Both were individualists, neither had had any training or experience in labor organization, both could be counted upon to form a reservoir of fairly docile low-wage workers. Only within the last half dozen years has any considerable progress been made in the reorganization of the mass production industries into which so many of the Negroes were absorbed.

Next year's census undoubtedly will show that the migration from South to North is slowing up. But while many Negroes during the depression turned southward again, there is no reason to believe that the trend has been reversed. And even those who have returned to the rural areas have taken back with them from the city new standards, new hopes, and new economic wants. Families that, even for a few brief years, have sampled the advantages of better food, better clothing, better housing—though many of our Northern Negro tenements are wretched enough—better education for their children, better sanitation and more leisure for wholesome recreation will not quickly forget them.

From the earliest days the American Negro has been at the bottom of our economic scale. After two and a quarter centuries of unpaid labor he found at first that his new freedom, won at the cost of so much suffering, had conferred doubtful advantages. When he was "property" he could be certain of at least some of that tender consideration which people always have attached to their material possessions. He had now lost his value as property and had to fend for himself. Without land, without capital, with little skill, he had to make his way against the competition of those who possessed these essentials, and the wonder is not that so few were able to climb to places of security or distinction, but that any were able to do it.

The forces that have conspired to keep the Negro "down" economically have persisted into this fourth decade of the Twentieth century but, happily, with diminishing virulence. The change that is transforming the erstwhile sharecropper into an urban industrial worker has brought an emancipation as far reaching as that of the proclamation of 1863. The Negro still finds it difficult—but far less difficult than it was even 20 years ago—to obtain education, to acquire skill, to rise to professional status; and trade unions that once barred him from their ranks now find they need the solidarity which his adherence represents.

Whatever may have been the justification for keeping the Negro tied to his poverty status in an economy of scarcity, when there always was danger that there wouldn't be enough food, clothing and shelter to go around, it no longer applies in an economy of potential abundance. We will be far from wise if we tolerate any longer the existence of those forces that have united to deny the colored man a larger share in the fruits of the Nation's industry. The rest of us need him quite as much as he needs us.

Economically, the country's great requirements are more producers and more consumers. The two are pretty largely the same persons. Money paid in dividends, interest and rent may or may not be spent for consumer goods, but money paid in wages is pretty sure to find its way to the grocer, the butcher, and the dry-goods merchant. If we could transform those in the lower wage groups into such active consumers that they would deplete the shelves of the grocer and the dry-goods merchant, then we should logically expect that a good many industries would call more men back to work to manufacture the goods needed to restock the shelves. Many more consumers then would become producers, and with their newly-earned wages they would be able to add still further to their purchases.

There are in the United States some 12 or 13 million Negroes. If every man among them were to buy just one more cotton shirt a year, and every woman just one more dress, we wouldn't have to worry much about the cotton surplus. If every family could afford just one more loaf of bread a week, or its equivalent, our farm problem would be pretty largely solved. I certainly cannot believe that we are going to find any very satisfactory solution for our most pressing problems if we undertake to eliminate from consideration so large a group of our fellow citizens. If you call up the grocer to order a bill of goods, he may stop to ask your credit rating, but he certainly isn't going to inquire into your religion or the color of your skin. The desire for profit has never balked at the color line.

The benefits of the Fair Labor Standards Act of 1938 are extended, as you know, only to those employees of employers engaged in interstate commerce or the production of goods for interstate commerce. While conclusive statistics are not available, I should judge that a very large number, if not a majority, of the Negro workers who have emigrated to the Northern States within the last 15 or 20 years fall into one or another of these categories. This certainly would be true of sleeping-car porters, railway-dining-cars waiters, red-cap porters employed in or about the larger railway stations, and probably of most of those employed by such mass production industries as the manufacture of automobiles and rubber tires. It would seem, therefore, that Negro workers should gain very substantially from the national effort to place a rising floor under wages and a lowering ceiling over hours with time and a half for overtime.

Recently, I received from Professor George O. Butler of the department of economics of Howard University a number of questions relating to the application of the Act to Negro workers, and the answers I gave to him may be of interest to this audience, also.

We do not know, as I explained to Professor Butler, how many Negro workers are covered by the law. We do know, however, that large numbers are employed in iron and steel, the machinery and automobile industries, in lumber and furniture, tobacco, fertilizer factories, chemical and allied industries, and food and allied businesses. It seems likely that most of these establishments are in interstate commerce and that their employees, therefore, are covered by the Act. So far as I know, there has been no break-down for these industries according to race.

The extent to which Negroes have lost their jobs as a result of the application of the Act also is not known. I might say, however, that there has been much exaggeration as to the presumed effects of the Act in diminishing employment. Shortly after October 24, when the law became effective, we were startled by newspaper reports that many thousands, if not hundreds of thousands, of workers had been dismissed because their employers simply could not afford to pay 25 cents an hour and time and a half for overtime in excess of 44 hours a week. Subsequent investigation disclosed that the extent of the lay-offs was exaggerated and that many were purely seasonal in character and would have occurred even if there had been no Wage and Hour Law. To say that American industry cannot afford to meet the very moderate standard of 25 cents an hour—\$11 for a 44-hour week—would be a libel on

capitalism and American ingenuity. We have reason to believe that most employers are observing the law to the letter and that they welcome it, because they hope to share in the greater mass purchasing power that will result, and also because they want to be freed from the competition of the unscrupulous business rival who would undercut them by stealing his profits from the pockets of his workers.

The question remains whether any employer who felt that he had to lay off any of his workers discriminated against colored employees and in favor of the white people. We have no information as to that. But we do know that, as a general rule, the employer who reduces his working force will be pretty likely to lay off first his less efficient workers, regardless of color. They tell us that sentiment and business don't mix, and it is equally true that business and race prejudice make a very unprofitable mixture. Not many employers are willing to give play to an unreasonable prejudice at the expense of profits.

The Wage and Hour Division has taken no action involving only Negroes, though legal action has involved employees which include Negroes. There is nothing in the law which gives us any authority to discriminate among the races. When we receive a complaint we usually do not know, and do not stop to ask, whether the author of it is white or colored. Every complaint is considered strictly on its merits, and this will continue to be our policy.

There is a provision in the law which permits any employee covered by the act who has not received the benefits to which he is entitled to bring suit and, if successful, to obtain double the amount of his withheld wages, plus a reasonable attorney's fee. That is a means of redress open to all regardless of race, color, or previous condition of servitude. Nobody needs my permission to bring such a suit. Even those few employers who feel that they can defy the Government with impunity hesitate, we find, to get entangled on the losing side of litigation with their own employees.

In short, there are no provisions of the Fair Labor Standards Act that do not apply equally to persons of all races. The troubles of all who do not receive enough to live on in decency are much alike, whether they happen to be blond or brunette, fat or thin, tall or short. A hungry colored child and a hungry white child both ache in the same place, and not even with a microscope could you distinguish any significant difference in the quality of their tears. The injury done to society, which must make up for inadequate wages by providing relief from the pockets of the taxpayers, is just as great in any case.

Lincoln said the Nation could not exist half slave and half free. Were he alive today I think he would say that it is equally true that the Nation cannot exist very happily half well fed and half starved. Poverty is a disease, and like every other disease its consequences often are visited upon us all, no matter where we live or how secure we fancy ourselves to be. The infections that come out of the slums in the form of crime, juvenile delinquency, illiteracy and bad sanitation, eventually reach up to the favored people on the hill as well as down to the humble folk in the valley.

We do not maintain that the Fair Labor Standards Act is a panacea. We do not contend that it is going to transform the world into a paradise by day after tomorrow. But we do maintain that, backed by the support of the people and fairly administered, it will help in the conquest of poverty, make for better and fairer business dealings, and promote the happiness of us all.
