



Gender, race, and the policies of the Labor Department

*Promoting equal job opportunity for women
and minority men, of little concern
in the Department's early years,
made headway in the 1960's and 1970's*

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When Congress established the Department of Labor in 1913, both women and minority men faced limited employment opportunities. Throughout the Nation, white women in the labor force found themselves in low-paying industrial, clerical, and retail positions. Most Afro-Americans remained in the South where they worked as sharecroppers and agricultural laborers or, if female, domestic servants. But, lured to the North by better-paying industrial work and the labor shortages of the World War I years, blacks would soon begin that mass exodus called the "Great Migration."¹

While race and gender stood as key determinants of occupation, neither the employment status of women nor that of minority men was among early DOL priorities. The first years of the Department were taken up with other matters,

particularly the conciliation of labor disputes. Moreover, the Department took its modern form at the very time that President Woodrow Wilson, under congressional pressure, segregated Federal eating and restroom facilities by race and phased most blacks out of the civil service.²

Early departmental programs reflected cultural attitudes towards both white women and Afro-Americans, and thus reinforced the existing division of labor by race and sex. They also suggest how the Department, and the Government as a whole, addressed the needs of women separately from those of minorities, with the problems of minority women often getting lost between the two. The United States Employment Service, an agency of the Labor Department, established a women's and girl's division at the end of 1916 "to guide [women] in desirable industry and avoidance of occupations and places where evil conditions exist." With its emphasis on "suitable" employments and its concern with labor standards such as minimum

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wages and maximum hours (known as protective labor legislation), this division embodied an attitude that would persist until the late 1960's: [White] women workers required protection on the job because their biology supposedly made them different from men, and thus only certain employments were appropriate for the mothers of the Nation.³

The social place of Afro-Americans similarly shaped DOL treatment of them. During the early years of the Great Migration, the U.S. Employment Service assisted blacks who sought employment in the North by advising them on available jobs; later, complaints from southern employers, who feared losing their abundant labor supply, led the agency to "withdraw its facilities from group migration."⁴

With the onset of World War I, the Nation hurried to mobilize its labor power while simultaneously increasing productivity. Thus, the Federal Government sought to make the best use of women and minority male laborers for the duration of the emergency. The state would "insure the effective employment of women while conserving their health and welfare" even as their labor was allocated temporarily to men's work; programs for blacks attempted "to increase the efficiency of Negro wage earners by improving their condition" and by "promoting cooperation between the races for the harmonizing of their relations."⁵

William B. Wilson, the first Secretary of Labor, and Assistant Secretary Louis Post, an early supporter of civil rights, both fought to improve the economic position of black workers. In consultation with W.E.B. DuBois, leader of the National Association for the Advancement of Colored People, they established the Division of Negro Economics within the U.S. Employment Service in 1917. The Division was responsible for recruiting and placing workers in war production, and was directed by George E. Haynes, a black professor from Fisk University. Under Haynes' leadership, the Labor Department established interracial labor advisory committees in the South, investigated the working conditions of black women, and attempted to enforce wage rates for blacks that were equal to those of whites. The Division of Negro Economics encouraged the Employment Service not only to mobilize black workers for the war effort but also to help them find housing and generally adjust to urbanization and industrial employment. As historian Henry Guzda has noted, "long before equal employment opportunity became a priority, this division promoted the concepts of that philosophy."⁶

Women's groups also demanded equality, including equal pay for equal work. The Labor

Department initially relied upon the efforts of voluntary women's organizations to furnish the Employment Service with data on needs for women's labor and on women's availability for the war effort. The Women in Industry Service, under Mary Van Kleeck of the Russell Sage Foundation and Mary Anderson of the Women's Trade Union League, formed in July 1918 as a policymaking and advisory agency. Not only did it coordinate other wartime agencies through the Council on Women in Industry, but its director, unlike the head of the Division of Negro Economics, sat on the War Labor Policies Board. Though so badly underfunded that it had to rely on women's organizations for resources and personnel—as would its successor, the Women's Bureau—the Women in Industry Service studied the conditions of women workers in industry. It recommended new labor standards and safeguarded existing ones, called for wage rates based on productivity rather than the sex of the worker, and especially fought for health and safety regulations. To protect women's reproductive capabilities, it sought to exclude women from jobs subject to lead poisoning. Otherwise, the Women in Industry Service promoted changing the conditions of labor, not the sex of the laborers.⁷

Responding to the perceived power of the women's movement and the enfranchisement of women voters, Congress created the Women's Bureau as a permanent agency of the Labor Department on June 5, 1920, "to formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment." Essentially a factfinding agency, the Women's Bureau researched conditions in the Federal Government (including those of black charwomen), the general industrial outlook in various States, State labor laws and regulations, and the home life of wage-earning women, especially their problems in combining wage labor with child care and housework. The Bureau continued to push protective labor legislation for women, rejecting the Equal Rights Amendment as a threat to women workers because it would negate minimum wage and maximum hours laws. Without such protections, the Bureau argued, working women would be unable to fulfill their roles as childbearers and rearers. In 1921, 1922, and 1929, the Bureau reported on the substandard working conditions of black women, who earned less than white women and worked longer hours at the least desirable occupations. It pleaded "for the well-being of the community that there shall be no reduction in these standards but rather that for both races there shall be a steady improvement

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in the relationship between earning and necessary expenses for healthful living."⁸

In contrast to the Women in Industry Service, the Division of Negro Economics left no institutional legacy after the war. Once mobilization ended, so did the Government's commitment towards lessening discrimination against black workers, even though their foothold in industry was precarious. In 1919, race riots, a product of growing competition for jobs and housing, exploded in major American cities, including the Nation's capital. In response to such tensions, Wilson and Post wanted to maintain Haynes and his Division as a permanent branch of the Labor Department, but white southern Congressmen killed proposals to extend the life of the Division. Without retaining even a factfinding agency devoted to black workers, the Labor Department focused its attention elsewhere during the 1920's.⁹

The New Deal and World War II

The New Deal improved the lives of women and minority male workers, but its programs ultimately reinforced the division of the labor market by gender and race.¹⁰ By the time the Roosevelt administration came to power in 1933, the unemployment and underemployment rates of Afro-Americans were double and triple those of whites in many areas of the Nation. Disproportionately employed in agriculture, Afro-Americans were among the first to lose jobs and the last to obtain relief. The New Deal recovery and reform programs, in combination with the rise of industrial unionism through the Congress of Industrial Organizations, offered hope to the Afro-American community. Many blacks also looked to the Labor Department for economic relief, particularly to Secretary of Labor Frances Perkins—a longtime supporter of racial equality.¹¹

Perkins attempted to fulfill these hopes, but the former social worker and her agency lacked the necessary political clout to overcome entrenched opposition to racial equality. Although she influenced the direction of the "alphabet" agencies of the New Deal, Congress removed the Department from direct control over nearly all significant labor programs. Within the Department, however, Secretary Perkins was able to abolish segregated eating facilities and to hire new black employees and promote others. She insisted that the Employment Service find jobs for blacks and whites on an impartial basis, added blacks to the Service's staff, and stopped efforts within the Department to dismiss black elevator operators. The Women's Bureau, the Children's Bureau, and other agencies of the Department studied black employment and working conditions, helped to publicize dis-

crimination against blacks, and recommended ways to end discrimination. In 1934, Perkins renewed the Department's commitment to black workers by appointing Conciliation Commissioner Lawrence Oxley as director of a Division of Negro Labor to coordinate the Department's activities and offer special advice to the Secretary.¹²

The 1938 Fair Labor Standards Act (FLSA) proved to be the one exception to the Labor Department's overall lack of authority over labor programs, but the gaps in its original coverage made it a weak tool for improving the status of women and minority workers.¹³ Perkins protested FLSA exclusion from coverage of domestic servants and agricultural laborers, the occupations dominated by minority men and women. Because the act applied only to employers involved in interstate commerce, it also left most service employees, who tended to be women and minority men, unprotected. Under such limitations, the Labor Department had little power to stop discriminatory practices by private employers. Perkins, however, continued to testify against the employment and wage discrimination that Oxley and his staff documented.

Even where the Department had authority over hiring practices, as in the case of the U.S. Employment Service, it could not halt discrimination at the local level. Especially in the South, the Service's administrators cooperated with white building trades unionists, contractors, and local politicians to keep blacks out of Federally financed construction projects and make-work programs. Although the Department ultimately succeeded in securing permits for some black construction workers, local administrators of Federal relief and recovery programs hired whites before blacks, assigned blacks to the least-skilled jobs, supported interracial wage differentials, and often excluded blacks from work altogether. President Roosevelt was reluctant to intervene against racial exclusion and discrimination within the Civilian Conservation Corps, the Works Progress Administration, and other programs because he was dependent upon southern congressional votes; Secretary Perkins acquiesced in the President's wishes.¹⁴

While Afro-Americans and Chicanos in the Southwest faced persistent discrimination and were often excluded from New Deal programs, relief agencies assigned women (depending on their race) to traditional female pursuits, like sewing, housekeeping, or typing.¹⁵ Under Section 213 of the 1932 Economy Act, which called for the dismissal of married persons if their spouse also worked for the Government, Federal agencies tended to discriminate against women, causing the Women's Bureau to protest

that, contrary to public opinion, "marital status as a basis for employment or dismissal is not sound."¹⁶ Meanwhile, the industrial codes of the National Recovery Administration incorporated wage differentials by sex and region, which led to lower wages for southern black workers.¹⁷ The Department of Labor protested against these wage inequalities. The Women's Bureau, for example, lodged 465 protests against 182 approved codes, gaining 224 changes in 119 codes, of which nearly three-fourths addressed women's wages. In the end, sex distinctions in wages remained in only slightly more than one-fourth of the approved codes, while over 70 percent of the codes for industries in which industrial home work was prevalent called for its abolition.¹⁸ While NRA prohibition of home work ended with the demise of the codes, the Wage and Hour Division of the Labor Department, which administered FLSA, was able to prohibit home work in seven garment-related industries in the early 1940's.¹⁹

Because of the continuing activities of the Women's Bureau, the Labor Department addressed the conditions of female labor more consistently than it did the conditions of minority men. Throughout the 1930's, the Women's Bureau studied the impact of the depression on women industrial workers and their families. With the National Council of Negro Women, the Young Women's Christian Association, and other women's organizations, it sought to raise the wage, hours, and other standards of household employment, and thus improve the working conditions of domestics. Most significantly, the Bureau functioned as a clearinghouse for labor standards legislation for the States, especially for local efforts to pass minimum wage bills. Along with the Labor Department's new Division of Labor Standards, the Bureau was able to facilitate the passage of intrastate orders affecting women workers in service establishments such as laundries and beauty parlors. It thus extended minimum wage and maximum hour protections to numbers of minority women for the first time.

Throughout the 1930's, policymakers for the Women's Bureau continued to advocate that mothers remain at home. However, in part because there were mothers in the labor market, the Bureau sought to strengthen protective labor legislation for women. Despite clinging to traditional ideas of a "woman's place," the Women's Bureau remained a staunch defender of working women, recognizing that "the substitution of women for men at lower pay . . . brings all wages down to a lower level and seriously reduces the consumers' purchasing power." Bureau representatives argued that economic re-

covery depended on improving women's status in the labor market.²⁰

With the shift to war production in 1940 and the entry of women into jobs previously held only by men, the Women's Bureau began to monitor labor standards for war workers, including those relating to lunch and rest periods, nightwork, rotation of shifts, sanitation, and safety. The Bureau specified the labor processes where womanpower could be most efficiently mobilized, providing war plants with detailed analyses of appropriate jobs and working with Employment Service regional labor supply committees. Not content with merely deploying womanpower, the Bureau continued its mission to protect women workers, studying the burdensome double day of homemaker and wage earner and supporting the development of day care and other community services.²¹

Equal pay, or "the rate for the job regardless of the sex of the worker," became a prime goal of the Bureau. Because many women performed processes previously done by men, it appeared particularly important to maintain the rate for the job in order to sustain men's wages after the war. Despite the success of the Women's Bureau in incorporating equal pay into wage scales at Government arsenals and in public contracts, and despite the approval given by the National War Labor Board for the principle that all wage increases should conform to State equal pay laws, employers resisted and few wartime wage orders actually mandated equal pay for equal work.²²

Although the Women's Bureau probed the conditions of black women workers during the war, it concentrated on discrimination based on sex, not race.²³ The Women's Bureau served as an advocate for women, but no equivalent agency existed in the Department when it came to racial minorities. The Division of Negro Labor did not have the status of a Bureau and its tenure depended on the support of the Secretary of Labor; nor did it provide the sort of clearinghouse for information on civil rights that the Women's Bureau offered the Department for women's issues. Within the Federal Government, racial discrimination came under the purview of the Fair Employment Practices Committee—a product of black demands for full civil rights—and not the Department of Labor.²⁴

Thus, the contribution of the Labor Department toward improving the situation of black workers proved singularly disappointing, for reasons similar to those which limited the Department's role during the New Deal. Instead of expanding the Department, as was done during World War I, the President mobilized the labor force for World War II through the War Man-

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power Commission and other agencies outside its jurisdiction. The most important Departmental division influencing wartime employment was the U.S. Employment Service, which became the "operating arm" of the War Manpower Commission. But, as in the 1930's, local administrators abetted segregation in the South and discrimination in the North. For example, local branches of the Employment Service, along with employers, excluded Afro-Americans from Gulf Coast shipyards, an act which led to intervention by the Fair Employment Practices Committee. The percentage of blacks placed in war industries by the Employment Service declined during the early mobilization effort, from 5.4 percent of those placed in 1940 to 2.5 percent in early 1941.²⁵

The Labor Department was aware of racial discrimination in employment at the local level and in defense plants. The *Monthly Labor Review* began some of its most extensive reporting of discrimination during the war years, and persisted in discussing sensitive issues, like promotion and seniority systems, racial wage differentials, and other forms of discrimination sanctioned by employers, unions, and government officials. Like the War Manpower Commission, the *Monthly Labor Review* issued numerous reports on the status of black laborers, and Lt. Oxley and his Division of Negro Labor continued to compile statistics and report on labor conditions. However, no effective machinery for fighting discrimination existed within the Department.²⁶

Thus, Employment Service job and training programs continued to discriminate against black men and women. While the *Monthly Labor Review* enthusiastically reported in November 1943 on the training of blacks for industrial work in Memphis, Division of Negro Labor reports indicated that these vocational programs systematically shunted black men into lesser skilled jobs than those offered white men, and ignored the training of black women altogether. Even where blacks were trained for skilled positions, the local branches of the Employment Service refused to release them for such work. Such discrimination produced predictable results: Although the number of blacks (mostly men) working as craftspersons and semiskilled operatives doubled from 1940 to 1944, at the end of the war 4 out of 5 black men remained unskilled laborers.²⁷ Perhaps the Labor Department was reluctant to intercede because the Employment Service was a Federal-State partnership. In any case, while the Employment Practices Committee conducted hearings and the War Labor Board issued directives abolishing racial wage differentials, the Labor Department had

little to show in the way of antidiscrimination efforts.²⁸

Postwar, Cold War: 1945-60

From demobilization in 1945, through the 1950's, advocates of racial and gender equality struggled with limited success for better jobs, wages, and employment levels for women and minority men. In the aftermath of the war, returning veterans regained higher-paying jobs as they replaced female and minority male workers who had been new to the industrial labor force. As disproportionate numbers of minorities and women were laid off, the Labor Department supported legislation to establish a national commission against employment discrimination and to make racial discrimination in hiring unlawful. It also lobbied for legislation that would prohibit discrimination between the sexes in the payment of wages, and called for a commission to study the status of women with the purpose of eliminating discriminatory State and Federal laws. Throughout the postwar period, and especially during the "manpower" crisis of the Korean war, the Department continued to advocate Federal action to end employment discrimination against minorities and to gain equal pay for women. But it persisted in viewing fair employment and equal pay as separate issues, rather than seeing the ways that sexual and racial divisions reflected similar discriminatory labor market mechanisms.²⁹

As during the period following World War I, an increasingly conservative political climate stymied the fight for fair employment and equal pay. The new Congress eliminated the Fair Employment Practices Committee, and passed the Taft-Hartley Act of 1947 which curbed the power of organized labor. In polarizing public opinion in this country, the onset of the Cold War not only undermined antidiscrimination programs and placed the labor movement on the defensive, but also encouraged congressional efforts to dismantle the Department of Labor, which by 1949 had its smallest staff since the administration of President Coolidge. Subsequent years saw Labor Department leaders spending much of their time fighting merely to keep the Department alive.³⁰

Under these circumstances, the Division of Negro Labor was allowed to die, and during the 1950's, discussion of antidiscrimination programs nearly disappeared from the annual reports of the Secretary of Labor. In contrast to the 1940's, during which studies of black labor by the Department had flourished, such investigations declined in scope, significance, and number.³¹ While the National Manpower Mobilization Policy of 1951 specified promoting the employment of women and minority men as

part of the Korean War effort, U.S. Employment Service labor recruitment policies increasingly served to screen out disadvantaged, and hence "least qualified," workers on the behalf of employers.³² In a similar vein, critics charged that the Employment Service served the interests of growers of farm produce in the West by working with State employment officials to supply cheap Hispanic labor through the Bracero program, which allowed workers to come from Mexico as seasonal farm laborers. (Having supplied 445,000 temporary workers at its peak in 1956, the Bracero program was phased out between 1965 and 1968 as part of a general effort to improve the wages and working conditions of all agricultural laborers.³³) With the Department and its anti-discrimination policies in eclipse, the Eisenhower administration relied upon economic growth to provide opportunity for women and minority men to advance themselves in the labor market.

Despite the setbacks of the postwar years, the Women's Bureau continued its efforts on behalf of women workers. It sought to expand employment opportunities for women by analyzing labor demand for specific occupations in the growing health, food, and social services sectors, but also in scientific and technical fields. The Bureau worked with the Employment Service to study public and private training and placement services and began to emphasize training and counseling, especially for the young, for older workers, and for "disadvantaged" minorities. During the next 15 years, the Bureau issued numerous bulletins devoted to career choices and preparation, including "The Outlook for Women in Police Work" (1949) and "Employment Opportunities for Women in Professional Accounting" (1955). Some of these broke through existing occupational segregation by sex, but most reflected the establishment of new arenas of "women's work."³⁴ And because women continued to hold different jobs than men, the Bureau found it easy to argue that women did not take jobs away from men.

Despite the attempt to keep up with the changing shape of the economy, the Bureau still tended to try to channel women back into traditional industries, like power-laundry and household employment, belying its stated aim to "salvag[e] wartime gains . . . and raise employment standards." While such channeling affected minority women disproportionately, the strengthening and extending of the minimum wage at the State level did much to improve their wages. In 1950, the Women's Bureau lobbied for a successful bill to extend Social Security protection to household workers, most of whom were Afro-American women.

During the early postwar years, the Women's Bureau also began to investigate the needs of Puerto Rican and migrant farm women, many of whom were Hispanic. Assisted by local women's organizations, it held earning opportunities forums for older women and other targeted groups. Traditional areas of women's work—teaching, clerical jobs, and nursing—suffered shortages, especially during the Korean war when women again could obtain higher-paying jobs. The Bureau encouraged women's entry into these fields through the expansion of part-time work. Thus, the Bureau appeared determined to improve the world of women's work rather than to break down the barriers between "male" and "female" jobs.

At a time when the popular press was advising women to leave the work force but the number of working mothers was rising, the Women's Bureau focused on the problems of married women workers. Under its aegis, the 1948 conference, "The American Woman, Her Changing Role—Worker, Homemaker, Citizen," set the agenda for the next two decades. The Bureau called for increased opportunities for part-time work for women (but not as a substitute for full-time jobs), maternity leave, improved status and standards for household workers, increased female participation in trade unions, establishment of adequate child care facilities, and "development of security and sufficiency of income." By 1958, after Russian success with Sputnik encouraged scientific training for the U.S. population, the Women's Bureau emphasized the Nation's need for "womanpower" but without disregarding the realities of women's responsibilities in the home, their intermittent work histories, and the inadequate training of many women. The Bureau also continued to advocate equal pay, rather than fair employment, legislation.³⁵ Only with the last-minute insertion of the word "sex" into Title VII of the 1964 Civil Rights Act were the parallel but separate fights against racial and sexual discrimination brought together in the law.³⁶

Civil rights, women's rights: 1960–80

The struggles for civil rights and women's rights in the 1960's pushed the Federal Government to take a more active role in ending employment discrimination and improving the economic position of women and minority men. The years of the Kennedy administration set the stage for later affirmative action and manpower programs, with passage of the Manpower Development and Training Act of 1962 and the Equal Pay Act of 1963. The Women's Bureau provided research assistance to the President's Commission on the Status of Women which, in

"...during the 1960's and 1970's, programs represented a national commitment to equity...."

its 1963 report, recommended equal opportunities in hiring, training, promotion, and pay; improved education and counseling for girls; better labor legislation for women; and "new and expanded services to enable women to meet more effectively their responsibilities as homemakers and workers," especially day care. In later years, the Bureau also supported equal employment opportunities for women, reflecting the changed legal climate generated by Title VII, which overturned protective labor laws for women.³⁷

The Presidency of Lyndon Johnson inaugurated a period of unprecedented willingness on the part of the Federal Government to intervene in uprooting structural unemployment, poverty, and employer and union discrimination. Employment opportunity and decent wages and working conditions for women and for black and other minority men were, according to then Secretary of Labor Willard Wirtz, "finally identified and significantly recognized as a matter of right" by the Nation. In large measure, the Nixon, Ford, and Carter administrations continued this commitment to reducing economic disparities between whites and blacks and between men and women.³⁸

Wirtz most clearly enunciated the philosophy of affirmative action, the use of government influence to better the status of blacks and other disadvantaged groups within the society. "There are two Americas—one characterized by general affluence and comfort, the other by grim deprivation and daily misery," he reported in 1967, concluding that "further economic growth would not alone rescue prosperity's disadvantaged." The position of minorities resulted from a history of societal prejudice, augmented by social policy and government action or inaction. Thus, only social policy and government action, in tandem with efforts to root out racial prejudice, could reverse this situation.³⁹

Hence, as part of the Great Society Program of the Johnson years, the Labor Department helped to initiate and administer programs such as the Neighborhood Youth Corps (aimed at providing jobs for young people), the Concentrated Employment Program (aimed at pulling the hardcore unemployed into the economic mainstream), and others which expended millions of dollars in an effort to break the cycle of poverty dominating minority communities. The Department cooperated with the Office of Economic Opportunity in its even more massive antipoverty and jobs programs. Reflecting a longstanding concern with standards for household work and the status of household workers, the Women's Bureau brought together numerous government and private organizations to

form the National Committee on Household Employment in 1965. The U.S. Employment Service became an agency which enforced equal rights; instead of buttressing pre-existing racial and sexual employment patterns, it began to focus its efforts on workers who had been pushed to the margins of the labor force. Equally significantly, under Executive Order 11246, the Department of Labor began to force companies with Federal Government contracts to take "affirmative action" and employ more women and minority men. By 1968, the Government had consolidated many labor-related programs under the control of the Labor Department, reversing earlier congressional and presidential whittling away of the Department's mandate. By then, Wirtz could boast that the percentage of blacks in higher grades of employment was twice as large in the Labor Department as in any other major Federal agency.⁴⁰

The Nixon and Ford administrations began to shift responsibility for economic and other initiatives from the Federal Government to the States, cut back social programs, and rely more upon private employers to reduce discrimination in the labor market. Under Nixon, the Office of Federal Contract Compliance of the Labor Department strengthened affirmative action by requiring Federal contractors to implement hiring goals and timetables for the employment of women and minority men. The Philadelphia Plan, a project supported by Labor Secretary George P. Shultz, extended these procedures to the construction trades, causing bitter fights between the Department and the AFL-CIO unions. While the Women's Bureau became part of the Wage and Labor Standards Administration within the Department of Labor in the early 1960's, it continued to promote the interests of working women, focusing on training and employment opportunities for racial and ethnic minorities, offenders and ex-offenders, youths, older women, and women in low-skilled, low-paying occupations.

The years of the Nixon and Ford administrations witnessed significant enforcement of the Fair Labor Standards Act and the Equal Pay Act—the latter extended to executive, administrative, professional, and outside salesworkers—and also saw a new inclusiveness in labor standards legislation. In 1973 alone, the Department's Employment Standards Division secured backpayments of over \$18 million to 29,618 workers, most of them women, while the Department, along with the Equal Employment Opportunity Commission, negotiated a settlement of \$15 million with American Telephone and Telegraph Co. for violation of the Equal

Pay Act, thus providing a model for civil rights agreements for the rest of the decade. In 1974, coverage under the Fair Labor Standards Act was expanded to domestic service workers, finally protecting a large number of minority women. Two years later, unemployment insurance coverage was extended to agricultural and private household workers; also, pregnancy no longer could be used to deny benefits to unemployed women.

During the early 1970's, the Department sought to bring those thought to be "unemployable" into the labor force. "By overcoming traditional barriers," WIN (the Work Incentive Program) attempted to increase employment opportunities among women, who composed more than 75 percent of its participants. Critics believed that the true goal of WIN was to reduce welfare expenditures, but it proved a failure on both accounts. CETA (the Comprehensive Employment and Training Act), which decentralized manpower activities beginning in 1975, was more successful. Under CETA, special programs were developed to serve Indians and the overwhelmingly Hispanic migrant and seasonal farmworkers. The Women's Bureau also worked with CETA to create model programs for women in apprenticeship and in nontraditional jobs and the Women's Bureau too began to direct programs to reservation Indians and Hispanics, as well as the rural poor.⁴¹ These efforts continued during the Carter years.

The Carter administration faced economic "stagflation" during the second half of the 1970's as it sought to redress the economic consequences of racial discrimination. Probably no Secretary of Labor before Ray Marshall had as deep an understanding of the historical nature of the economic disadvantage of black workers.⁴² During Marshall's tenure, the Department participated in suits against the steel industry and other large employers for failing to live up to affirmative action agreements in Federal contracts, and helped to win backpay for workers who had been discriminated against. New regulations allowed for accurate documentation of employer discrimination. The Department placed all equal opportunity compliance programs within its Office of Federal Contract Compliance, producing what Marshall called "one-stop administration and enforcement" of equal opportunity laws. This step made it increasingly difficult for employers to evade affirmative action. In a number of cases, those who did so were debarred from Federal contracts.

In this climate, the percentage of minorities involved in apprenticeship programs dramatically expanded, providing a new avenue for access to skilled jobs. (At the same time, the Women's Bureau joined the Department's Bu-

reau of Apprenticeship and Training to increase the numbers of women in apprenticeships.) Under Federal pressure, public works contractors, universities, and other public institutions increased recruitment of minorities, who entered skilled and professional positions in growing numbers.⁴³ Meanwhile, the Carter administration launched the largest public service employment buildup since the 1930's, although this time, special efforts were directed to minorities and poor women. Displaced homemakers and mothers on welfare received special attention and the Women's Bureau also began to consider the employment needs of Asian-Pacific women. During the 1970's, the Bureau directed more resources than previously towards minority women, in keeping with the overall thrust of administration policy.⁴⁴ The Labor Department's role in antidiscrimination efforts decreased only slightly with President Carter's 1979 governmental reorganization plan, under which responsibility for enforcement of the Equal Pay Act and the Age Discrimination in Employment Act was taken from the Department and delegated to the Equal Employment Opportunity Commission.⁴⁵

The 1980's

From the first tentative efforts to improve employment opportunities for women and minority males during World War I through the tough antidiscrimination programs of the late 1970's, the Department of Labor had operated from the assumption that the Federal Government had the right to intervene in the economy in order to redress national social and economic problems. During the 1980's, the Government under President Ronald Reagan has worked from other premises. It has emphasized private-sector initiatives for manpower development, as evinced by the Job Training Partnership Act, and proposed legislation for a Youth Employment Opportunity Wage. The Office of Civil Rights within the Labor Department now deals with enforcement in the context of reducing Government spending and regulatory paperwork. The Department has proposed deregulation of industrial homework. Women's Bureau programs for displaced homemakers, "disadvantaged" women, and new immigrants have relied upon demonstration projects financed by the private sector. The Bureau has sought to expand employer-sponsored child care and to encourage entrepreneurship among women, especially displaced homemakers and minorities. Yet, it has continued to investigate the impact of economic transformation by funding studies on the effects of new technologies on women workers.⁴⁶

Large cutbacks in Federal spending threatened to gut the Department's efforts to use job

"The labor market remains divided by sex and race...."

training and public employment to help pull disadvantaged communities out of economic depression. Federal job creation programs were particularly hard hit, beginning with the reduction of some 300,000 workers from CETA in 1981. Cutbacks also reduced the Labor Department staff available for implementation of affirmative action and wage and hour regulations. The Office of Federal Contract Compliance adopted a "nonconfrontational" approach, emphasizing technical services for employers. It took steps to eliminate the need for small contractors to adhere to affirmative action guidelines, it urged voluntary compliance, and it rewrote guidelines so as to eliminate the weakest claims for redress at lower administrative levels. By 1984, critics charged that OFCC failed to prosecute antidiscrimination cases. By 1987, it appeared to civil rights and equal rights proponents that vigorous Federal affirmative action programs and public employment programs belonged to the past.⁴⁷

Conclusion

Within its limits as an investigative and often underfunded agency, the Department of Labor has sought to improve the working conditions of women and minority men over the last three-quarters of a century. What was considered appropriate policy changed as concepts of female difference (biological and social) and ideas of racial inferiority gave way to commitments to social and political equality. Before the protest movements of the 1960's, the Department emphasized the needs of these groups only when public policy concentrated on mobilizing and utilizing the Nation's labor power. But during the 1960's and 1970's, employment and training programs, along with enforcement of affirmative action, equal pay, and labor standards legislation represented a national commitment to racial and sexual equity.

How does the situation of women and minority men appear as we look forward to the centennial celebration of the Department? Massive job losses in the industrial sector of the economy have undermined the income of Afro-Americans, a disproportionate share of whom are blue-collar workers. And while the wages of black and white women are close to parity, both fall badly behind those of white men. True, among full-time, year-round workers, women now make 64 cents to every dollar earned by men.⁴⁸ This represents a shrinking of the wage gap between the sexes, reflecting the real gains of the last two decades, during which affirmative action in education and employment led some women to better paying professional and blue-collar jobs. However, the feminization of poverty remains a countertrend. Disparity also characterizes the situation of minority men, some of whom have benefited from affirmative action, while others have sunk into the "underclass." The labor market remains divided by sex and race, while the movement for comparable worth, or equal pay for work of comparable value, remains stalled in controversy.⁴⁹

The next quarter-century will require imaginative policies to fulfill the vision of racial and gender justice. If the past is any guide to the future, only persistent Federal action can help win the battle for equal opportunity; the Department of Labor can play a crucial role in this battle. □

Men's and women's earnings

The data most often used to compare the earnings of women with the earnings of men include two series produced by the Bureau of Labor Statistics. The first is annual earnings of year-round full-time workers; this series, produced once each year, was begun several decades ago. The second series—usual weekly earnings of full-time workers—has been produced on a quarterly basis since 1979. Both series are averages unadjusted for differences in experience, occupation, or industry mix.

Trends in the ratio of women's to men's earnings, selected years, 1960-87

Year	Ratio of median earnings (percent)	
	Annual earnings of year-round full-time workers	Usual weekly earnings of full-time workers
1960	60.8	N.A.
1970	59.4	N.A.
1979	59.7	62.5
1980	60.2	64.4
1986	64.3	69.2
1987	N.A.	70.0

N.A. = data not available.

NOTE: Data refer to earnings of wage and salary workers.

SOURCE: Annual earnings: Current Population Survey, March 1961, 1971, 1980, 1981, and 1987. Weekly earnings: Current Population Survey, 1979, 1980, 1986, and 1987 annual average data.

FOOTNOTES

¹ For a discussion of labor market segmentation by race and sex, see William Harris, *The Harder We Run: Black Workers Since the Civil War* (New York, Oxford University Press, 1982); and Alice Kessler-Harris, *Out to Work: A History of Wage-Earning Women in the United States* (New York, Oxford University Press, 1982).

² See John Hope Franklin and Alfred A. Moss, Jr., *From Slavery to Freedom: A History of Negro Americans*, 5th ed. (New York, Alfred A. Knopf, 1988), pp. 227-318. On the early history of the Department of Labor, see Jonathan Grossman, *The Department of Labor* (New York, Praeger Publishers, 1973), pp. 3-30.

³ For the history of protective legislation, see Judith Baer, *The Chains of Protection: The Judicial Response to Women's Labor Legislation* (Westport, CT, Greenwood Press, 1978). See also U.S. Department of Labor, *Fourth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1916), pp. 62-64.

⁴ *Reports of the Department of Labor, 1917* (Washington, U.S. Government Printing Office, 1918), pp. 79-80.

⁵ For information on women workers during World War I, see Maurine Weiner Greenwald, *Women, War, and Work: The Impact of World War I on Women Workers in the United States* (Westport, CT, Greenwood Press, 1980); and *Reports of the Department of Labor, 1918* (Washington, U.S. Government Printing Office, 1919), pp. 114-15, 118-24.

⁶ Henry Guzda, "The Labor Department's First Program to Assist Black Workers," *Monthly Labor Review*, June 1982, pp. 39-44, and his "Social Experiment of the Labor Department: The Division of Negro Economics," *The Public Historian*, Fall 1982, pp. 7-37. See also *Monthly Labor Review*, September 1918, pp. 513-14, on the establishment of the Division.

⁷ *Reports of the Department of Labor, 1917*, pp. 71-74; Mary Van Kleeck, "First Annual Report of the Director of the Women in Industry Service," *Reports of the Department of Labor, 1919* (Washington, U.S. Government Printing Office, 1920), pp. 1133-59. She was particularly concerned with the impact of night work on the family and the functioning of State protective legislation in this and other areas during the war. As early as June 1917, the Children's Bureau, part of the Labor Department at the time, investigated the impact of mothers' work outside the home on their children. See *1917 Report*, pp. 140-41.

⁸ Judith Sealander, *As Minority Becomes Majority: Federal Reaction to the Phenomenon of Women in the Work Force, 1920-1963* (Westport, CT, Greenwood Press, 1983), pp. 13-55; Mary Anderson, "Second Annual Report of the Director of the Women's Bureau, for the Fiscal Year Ended June 30, 1920," in U.S. Department of Labor, *Reports of the Department of Labor, 1920* (Washington, U.S. Government Printing Office, 1921), pp. 883-92; and "Report of the Director of the Women's Bureau," 1925 (Washington, U.S. Government Printing Office, 1926), p. 2. See also the annual reports from 1921 through 1932. On race and standards, see "Report of the Director of the Women's Bureau," 1922 (Washington, U.S. Government Printing Office, 1923), p. 12.

⁹ Guzda, "Social Experiment of the Labor Department," pp. 29-37.

¹⁰ For an extended analysis of this point, see Eileen Boris and Peter Bardaglio, "Gender, Race, and Class: The Impact of the State on the Family and the Economy, 1790-1945," in Naomi Gerstel and Harriet Engel Gross, eds., *Families and Work* (Philadelphia, Temple University Press, 1987), pp. 141-46.

¹¹ Harris, *The Harder We Run*, p. 95; and Philip S. Foner, *Organized Labor and the Black Worker, 1619-1973* (New York, International Publishers, 1974). For blacks and the New Deal, see Nancy Weiss, *Farewell to the Party of Lincoln* (Princeton, NJ, Princeton University Press, 1983); and Harvard Sitkoff, *A New Deal for Blacks* (New York, Oxford University Press, 1978).

¹² Henry Guzda, "Frances Perkins' Interest in a New Deal for Blacks," *Monthly Labor Review*, April 1980, pp. 31-35. On U.S. Employment Service policy of nondiscrimination, see "The Negro Applicant," *Twenty-Seventh Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1939), p. 28.

¹³ Grossman, *The Department of Labor*, p. 45.

¹⁴ Guzda, "Frances Perkins," p. 34; and George Martin, *Madame Secretary: Frances Perkins* (Boston, Houghton Mifflin, 1976), p. 297.

¹⁵ See Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family* (New York, Basic Books, 1985), pp. 174-77; and Julia Kirk Blackwelder, *Women of the Depression: Caste and Culture in San Antonio, 1929-1939* (College Station, TX, Texas A&M University Press, 1984), pp. 110-26, 171-72.

¹⁶ For the attempt to dismiss married women workers from employment, including jobs in the Federal Government, see Lois Scharf, *To Work and Wed: Female Employment, Feminism, and the Great Depression* (Westport, CT, Greenwood Press, 1980), pp. 43-65. For the Women's Bureau response, see Sealander, *As Minority Becomes Majority*, pp. 58-61. See also Mary Anderson, "Women's Bureau," *Twenty-First Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1933), p. 93.

¹⁷ Mary Elizabeth Pidgeon, "Employed Women Under N.R.A. Codes," *Bulletin of the Women's Bureau*, no. 130 (Washington, U.S. Government Printing Office, 1935).

¹⁸ For information on the Women's Bureau and the National Recovery Administration, see the annual reports of the Labor Department for 1933, 1934, and 1935, especially *Twenty-Second Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1934), p. 100; and Pidgeon, "Employed Women."

¹⁹ For the history of home work regulation, see Eileen Boris, "Homework in the Past, Its Meaning for the Future," in Kathleen Christensen, ed., *New Era in Homework: Directions and Policy* (Boulder, CO, Westview Press, forthcoming 1988).

²⁰ Sealander, *As Minority Becomes Majority*, pp. 57-94; and annual reports of the Department of Labor, 1933-1939, especially *Twenty-Fourth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1936), p. 148. For the ways that Bureau programs for domestics reflected how white women regarded their black women servants, see Phyllis Palmer, "Housewife and Household Worker: Employer-Employee Relationships in the Home, 1928-1941," in Carol Groneman and Mary Beth Norton, eds., *To Toil the Livelong Day: America's Women at Work, 1790-1980* (Ithaca, NY, Cornell University Press, 1987), pp. 179-95.

²¹ For a summary of activities during the war, see "Women's Bureau," *Thirty-Fourth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1946), pp. 196-208.

²² See *Thirty-Fourth Annual Report of the Secretary of Labor*, pp. 204-05. For a perceptive analysis of the struggle for equal pay during the war years, see Ruth Milkman, *Gender At Work: The Dynamics of Job Segregation by Sex during World War II* (Urbana, University of Illinois Press, 1987), pp. 63-83.

²³ "Negro Women War Workers," *Bulletin of the Women's Bureau*, no. 205 (Washington, U.S. Government Printing Office, 1945).

²⁴ Under Fair Employment Practices Committee scrutiny, the percentage of blacks as war workers increased from about 2.5 percent in 1942 to 8 percent by the end of 1944. See Harris, *The Harder We Run*, pp. 122, 117-18; and Foner, *Organized Labor and the Black Worker*, p. 243.

²⁵ See Foner, *Organized Labor and the Black Worker*, pp. 238-39, 243.

²⁶ For examples of such reports, see Philip Foner and Ronald Lewis, *The Black Worker, A Documentary History*

from *Colonial Times to the Present*, vol. 7 (Philadelphia, Temple University Press, 1983), pp. 232, 239-49.

²⁷ See *Monthly Labor Review*, November 1943, pp. 952-53; U.S. Employment Service, "Survey of the Employment Situation in Memphis," June 1942; and "Negro Composition of Placements," December 1941 to February 1942, in files of the Division of Negro Labor, National Archives, RG 183. See also John Beecher files on Memphis in FEPC files, National Archives, RG 228; and Merl E. Reed, "FEPC and the Federal Agencies in the South," *Journal of Negro History*, Winter 1980, pp. 43-56.

²⁸ In surveying the annual reports of the Secretary of Labor from 1940 to 1945, we could find no significant discussion of racial discrimination or the problems of black workers. But, see Harris, *The Harder We Run*, 114-19; and Foner, *Organized Labor and the Black Worker*, chapter 17.

²⁹ Milkman, *Gender at Work*, pp. 99-127; Harris, *The Harder We Run*, pp. 125-30; *Thirty-Fifth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1947), pp. 18-19; *Thirty-Sixth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1948), pp. 6-7; and U.S. Department of Labor, "Mobilizing Labor for Defense: A Summary of Significant Labor Developments in Time of Emergency," *Thirty-Ninth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1952), especially pp. 141-43.

³⁰ Grossman, *The Department of Labor*, pp. 65-74; and Vivian Vale, *Labour in American Politics* (New York, Barnes and Noble, 1971), pp. 100-28.

³¹ See *Index to the Monthly Labor Review* from 1941-1950 and 1951-1960 in the library of the Department of Labor, Washington.

³² *Thirty-Eighth Annual Report*, p. 68; and Grossman, *The Department of Labor*, p. 104.

³³ Richard B. Craig, *The Bracero Program, Interest Groups and Foreign Policy* (Austin, University of Texas Press, 1971); and Grossman, *The Department of Labor*, p. 80.

³⁴ *Thirty-Fourth Annual Report of the Secretary of Labor*, pp. 211-13; and Sealander, *As Minority Becomes Majority*, Appendix B, "The Bulletins and Special Bulletins of the Women's Bureau, United States Department of Labor, 1920-1963," pp. 175-79.

³⁵ See Annual Reports of the Secretary of Labor from 1945 through 1962, especially *Thirty-Fourth Annual Report*, pp. 212-13; *Thirty-Fifth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1947), pp. 109-10; *Thirty-Sixth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1948), pp. 93-102; *Thirty-Eighth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1950), pp. 185-88; *Forty-Fourth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1956), pp. 258-60; *Forty-Sixth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1958), pp. 255-56; and *Forty-Seventh Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1959), pp. 265, 275.

³⁶ On the 1964 Civil Rights Act, see Patricia Zelman, *Women, Work, and National Policy: The Kennedy-Johnson Years* (Ann Arbor, MI, UMI Research Press, 1982), pp. 55-71.

³⁷ "Women's Bureau," *Fifty-Second Annual Report of the Secretary of Labor for the Fiscal Year Ending June 30, 1964* (Washington, U.S. Government Printing Office, 1964), pp. 217-21; and *Fifty-Fifth Annual Report of the Secretary of Labor for the Fiscal Year Ended June 30, 1967* (Washing-

ton, U.S. Government Printing Office, 1967), p. 11. See also Cynthia Harrison, "A 'New Frontier' for Women: The Public Policy of the Kennedy Administration," *Journal of American History*, December 1980, pp. 635-45; and Sealander, *As Minority Becomes Majority*, pp. 133-51.

³⁸ On the impact of social movements in these years, see William Chafe, *The Unfinished Journey: America Since World War II* (New York, Oxford University Press, 1986). On equal pay, see Nancy E. McGlen and Karen O'Connor, *Women's Rights: The Struggle for Equality in the 19th & 20th Centuries* (New York, Praeger, 1983), pp. 170-75. On manpower, see Grossman, *The Department of Labor*, p. 77.

³⁹ Secretary of Labor W. Willard Wirtz as quoted in *Annual Report of the Secretary of Labor*, 1967, pp. 1-2. See also *Annual Report of the Secretary of Labor*, 1966, p. 4.

⁴⁰ See Annual Reports, 1965-68, especially 1968, pp. 4, 8; and *Fifty-Third Annual Report of the Secretary of Labor for the Fiscal Year Ending June 30, 1965* (Washington, U.S. Government Printing Office, 1965), p. 220; and Grossman, *The Department of Labor*, pp. 79-82, 118-51. For a critical assessment of the National Committee on Household Employment, see Phyllis Palmer, "Housework and Domestic Labor: Racial and Technological Change," in Karen Brodtkin Sacks and Dorothy Remy, eds., *My Troubles Are Going To Have Trouble With Me: Everyday Trials and Triumphs of Women Workers* (New Brunswick, NJ, Rutgers University Press, 1984), pp. 86-88.

⁴¹ *Sixty-First Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1973), pp. 29-30. See also *Sixty-Second Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1974), p. 21; *Sixty-Third Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1975), pp. 11-16, 30-33; and *Sixty-Fourth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1976), pp. 12-13, 31-32.

⁴² See, for example, Ray Marshall, *The Negro and Apprenticeship* (Baltimore, Johns Hopkins University Press, 1967); *The Negro and Organized Labor* (New York, Wiley, 1965); *The Negro Worker* (New York, Random House, 1967); and, with Virgil L. Christian, Jr., *Employment of Blacks in the South: A Perspective on the 1960s* (Austin, University of Texas Press, 1978).

⁴³ See the Annual Reports of the Secretary of Labor from 1976-78, especially *Sixty-Sixth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1978), p. vi.

⁴⁴ For information on public works under the Carter administration, see Annual Reports, 1976-1980, especially *Sixty-Fifth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1977), p. 24. For information on the Women's Bureau, for example, see *Sixty-Eighth Annual Report of the Secretary of Labor* (Washington, U.S. Government Printing Office, 1980), pp. 149-55.

⁴⁵ *Sixty-Sixth Annual Report*, p. 62.

⁴⁶ For information on the Women's Bureau, see Annual Reports of the Secretary of Labor, 1981-1986. For the philosophy of the Reagan administration, see the recent Annual Reports of the Secretary of Labor, 1982-1987.

⁴⁷ Annual Reports of the Secretary of Labor, 1981-1985.

⁴⁸ See *Money, Income, and Poverty Status of Families and Persons in the United States—Current Population Reports*, series P-60, no. 157 (Bureau of the Census, 1986).

⁴⁹ Barbara Bergmann, *The Economic Emergence of Women* (New York, Basic Books, 1986); and Alphonso Pinkney, *The Myth of Black Progress* (New York, Cambridge University Press, 1984).