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THE CONTRIBUTION OF ORGANIZED LABOR TO SAFETY

BY

WILLIAM JOHN CRIBBEN

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF MASTER
OF SOCIAL ADMINISTRATION IN
LOYOLA UNIVERSITY

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INTRODUCTION

PROBLEM OF SAFETY

CRY OF RERUM NOVARUM

PURPOSE OF PAPER

INTRODUCTION

THE PROBLEM OF SAFETY

Preliminary estimates by the Bureau of Labor Standards and the National Safety Council indicate that in 1948 about 16,500 workers were killed in on-the-job accidents; 1,800 were permanently disabled to a degree which will prevent their ever resuming gainful employment; 83,700 experienced permanent impairments which will reduce their physical abilities for the remainder of their lives; and 1,858,000 others experienced temporary injuries of sufficient severity to cause each of them to lose one or more full days from work.

Applying the above statistics to the loss of man working hours, we find that in 1948 the time lost amounted to 41,000,000 man days. This is equivalent to a full year's employment for 135,000 workers. When allowance is made for the future losses in production ability arising from deaths and permanent injuries, the total time loss chargeable to these disabling injuries of 1948 rise to the astounding total of 219,000,000 man days. In more concrete terms, it is the equivalent of a full year's time employment for 730,000 workers. A safety problem does exist.

CRY OF RERUM NOVARUM

The encyclical, Rerum Novarum, declares most appropriately that "these working men's associations (unions) should be organized and governed so as to furnish the best and most suitable means for attempting what is aimed at, that is to say, for helping each member to better his condition to the utmost in body, soul and property".¹ That accident prevention is the

¹ Treacy, Gerald C., S.J.: Five Great Encyclicals, p. 27

furtherance of human happiness no one will deny, nor can one deny that happiness is best brought about by the preservation of life, limb, and the full enjoyment of health.

PURPOSE OF PAPER

Organized labor can and should play a big part in safety for the workers. With this thought in mind this paper intends to study the problem of industrial safety; its history and its development; the contributions of labor and industrial leaders; and to recommend an enlarged program for safety based upon humanitarian and social, as well as economic, principles.

CHAPTER I - THE HISTORY AND DEVELOPMENT OF SAFETY

BEGINNING OF SAFETY

GOVERNMENT RIGHTS AND DUTIES

ENGLISH COMMON LAW

INDUSTRIAL REVOLUTION

RECOURSE OF WORKERS

FIRST REFORMERS IN ENGLAND

CONDITIONS ELSEWHERE

EMPLOYERS LIABILITY

CONDITIONS IN AMERICA

FIRST WORKMAN'S COMPENSATION BILL

SAFETY ENGINEERING

ORGANIZATION OF SAFETY COUNCIL

SUMMING UP

CHAPTER I

THE HISTORY AND DEVELOPMENT OF SAFETY

BEGINNING OF SAFETY

Safety most probably commenced when prehistoric man first learned that they must defend themselves against the dangers of cold and hunger, against the wild beasts with which the land was infected, and even against their fellow men. As time passed by and the need for protection against common enemies of the people grew greater, men organized into family groups, then into tribes and finally into states and nations - the very basis of all these unions being the need for protection against the common enemies of the people. At first probably the only enemies to which attention was paid were the obvious ones; men, beasts, hunger and cold and in general individual members of the community were left to take care of themselves. However, as civilization advanced, governments gradually assumed greater responsibility for the welfare of their peoples and there are even instances of measures resembling our modern accident prevention. We find in the Old Testament the injunction: "When thou buildest a new house thou shalt make a battlement for thy roof, that thou bring not blood upon thy house if any man fall from thence". (Deuteronomy, XXII:8)¹

GOVERNMENT RIGHTS AND DUTIES

A government's right and duty to insure its citizens a reasonable degree of protection has become firmly established. We refer to it nowadays as

¹ DeBlais, Lewis: "How the Safety Movement Began", Reprinted from Safety Education Magazine, February, 1931 and March, 1931; Educational Division National Safety Council

"police power". Looking up the word "police" in Webster's Dictionary it is interesting to note that the word comes from the ancient Greek word "polis", meaning city and the first definition listed reads: "The internal organization or regulation of a state; especially such regulation affecting public comfort, health, morals, safety or prosperity". Nothing here you will note about public enemies or mere law enforcement, but a broader and more beneficent sort of protection which civilization has come to expect of its governments.

Police Power as used does not have the more modern introduction of the term "police state", "control", and "fascism" or "communism".

ENGLISH COMMON LAW

Passing over the centuries, we now come to England under the Georges and to the body of what is termed Common Law. It is the accumulation of many, many years of legal opinion and we may think of it as law based upon reason and common sense. Our own Common Law is practically the English Common Law and much of it comes down to us from the early centuries of jurisprudence. Then there is the Statutory Law representing the enactments of what the people or their representatives in the government thought was wise, just and desirable for the common welfare. During the late 17th and early 18th centuries the industry of England was carried on, not in factories but in small shops or in the homes. Trades and crafts were generally a family affair handed down from generation to generation and the workers were members of the household. The legal relationship of the craftsmen to his workers was that of Master and servant, as it was defined by the Common Law of those days. It was derived from and had many of the characteristics of the feudal lord and serf. There was, it is true, individual freedom in a general sense, but it

embodied economic servitude for the worker. The master could control and punish his servant about as he saw fit, and for his part the servant had little hope of redress.²

The rural life during that time was in a poor state of affairs and farmers began to leave their occupation in which labor was plentiful and began to search for work in the towns and villages. Wood was burned in the home and iron was smelted by charcoal so there was little coal mining. What power that was used for spinning and milling was water power which clung to the rivers and had to make the best of local raw materials, labor and market. Transportation was slow and relatively expensive and generally was on foot or by horse. All in all local manufacture was limited.

INDUSTRIAL REVOLUTION

Then came the Industrial Revolution which brought about a complete change in industrial methods and conditions. It commenced with the use of coke made from coal to replace charcoal in the manufacture of iron, and by 1750 the iron trade was reestablished. Then came James Watt with his steam engine, Hargreaves with his spinning jenny and throstle to farm the mule. These inventions created practically a new industry out of the old laborious process of hand spinning and weaving. Factories, no longer depending on water power, sprang up in the cities, and men and women left unemployed by the revolutionary improvements in agricultural equipment flocked to this new form of livelihood. No one man could afford the new machines, and so out of the factory era came the partnerships, and companies which were to be the

² Ibid

forerunners of our present great industrial corporations. This involved a wholly new relationship of men to men for which the law of the land had no provisions which could only involve in a long period of time during which many abuses, injustices and hardships were bound to occur. The working people's condition was very bad - crowded cities, inadequate and dangerous working conditions, long hours, oppressions by masters, work hazards, ill health and disease were prevalent. The chief sufferers were women and children who were now employed in great numbers in the factories.³

RECOURSE OF WORKERS

The injured worker or the dependents of those killed had little recourse to the law in those days. If a worker sued his employer on the grounds of negligence, the burden of proof was on the injured party and his case could be defeated easily by the employer proving to the satisfaction of the court that the injured man had contributed to the accident through negligence of his own. The old law of master and servant didn't fit the new conditions. Gradually, the legal viewpoint was revised and a new code worked itself out under what we know as "employers liability" which was based on the assumption that when a man took the employment he assumed the risks attached to it - the ordinary dangers of work, the extra hazards of which his employer had warned him and also the dangers contributed by the presence or action of his fellow workers. For his part the employer was expected to provide reasonable safe working conditions, that is, a safe factory, equipment, and employees in so far as he could be expected to regulate them. However, the employer, when sued for damages, could fall back on three major defenses: that the injured

³ Shiels, W. Eugene, S.J.: History of Europe, p. 299-302

party had assumed the risk, that the accident had been due to a fellow servant whose actions he could not be expected to control; that the injured man had himself been guilty of contributory negligence. These defenses coupled with the burden of proof and the cost of legal action made it almost impossible for the injured employee to recover. Having no legal redress, accident victims and their dependents were often left destitute.⁴

FIRST REFORMERS IN ENGLAND

The employment of women and children brought the first reforms in England. In 1802 the enactment of laws designed to ameliorate working conditions, limit the employment of children and shorten the hours of labor were commenced. Government factory inspectors were established in 1833 and eleven years later Lord Ashley's "Great Factory Act" required among its other provisions the protection of moving machinery. However, it was not until 1846 that England first attempted to define the exact liability of the employer and for fully another fifty years suffering and loss continued.⁵

CONDITIONS ELSEWHERE

Parallel conditions existed in Germany and Bismark, the statesman, foreseeing possible social disorder resulting from conditions of the workers, prepared and introduced in 1881 the first of a series of compulsory insurance bills, designed to force upon industry the economic burden of compensation for sickness and injury among its workers. The first enactment which covered sickness only was finally achieved in 1884. England followed with its first compensation act in 1897. Only then did the workers commence to get redress

⁴ DeBlais, Lewis: op.cit., p. 2-3

⁵ ibid, p. 2-3

for their losses under the factory system.

EMPLOYERS LIABILITY

To recover damages under the employers liability it was necessary to prove that the injured person hadn't contributed to the accident by any negligence of his own; also, if the accident had come about through an ordinary hazard of employment or through the negligence of another employee there was little chance of winning the case.

Again, if the employer's negligence had really been responsible for the accident but the conditions were known to the injured man and were such that a prudent man would not have worked under the circumstances, no damages would be forthcoming. So you see an injured employee or his dependents had very little chance of getting redress.⁶

CONDITIONS IN AMERICA

Keeping in mind that workman's compensation differs essentially from employer's liability in that it places a definite and fixed financial responsibility on the employer, let us now consider the situation in our country as compared with that in England. The conditions of the women and children employed in industry were probably not as bad as those in England but on the other hand our accident situation was probably worse. We were a nation of pioneers, hardy adventurers, accustomed to taking chances and intolerant of rules and restrictions. Factories and transportation systems were growing rapidly, labor was plentiful but unaccustomed to industrial accidents. So

⁶ Roushenbush, Carl and Stein, Emanuel: "Employers Liability Laws", Labor Cases and Materials, p. 546-547

it was to be expected that accidents were frequent and grew larger in numbers as the factories expanded. "Steel mills were called slaughter houses and it became a byword that a man would be killed for every mile of railroad track that was laid."⁷

Massachusetts had factory inspectors since 1867 and a labor bureau since 1869. In 1877 a law compelling employers to safeguard dangerous machinery was enacted and other progressive industrial states enacted similar laws within the next 30 years. But there were many loopholes in these laws and often no means of enforcing them. During these years under employer's liability, our injured workers and their dependents got very little by taking their cases to court. The legal battles were expensive and so prolonged that usually the lawyers were the only ones to benefit. An investigation of death claims in New York state showed that in 78% of the cases the claimants received \$500.00 or less and for this the insurance companies who had to defend the interests of the employers whom they had insured often were blamed. Soon this subject began to create underspread increase; the press, people like Theodore Roosevelt, sprang to the cause and helped bring the much needed reforms.⁸

FIRST WORKMAN'S COMPENSATION BILL

In 1898 the first workmen's compensation bill was introduced to the New York legislature. Maryland and other states followed suit, but all these early enactments were held unconstitutional because they deprived the employer

⁷ DeBlais, Lewis: op.cit., p. 4

⁸ Ibid, p. 4-5

of money "without due process of law". Two ways of overcoming this difficulty were found: amendment of the constitution of the state or passage of an elective law by which employer could agree to be bound but which if they did not so agree would deprive them of their customary defenses in action at common law. The latter expedient merely operated to force both parties into voluntary acceptance of what the state desired but could not effect. However, it was not until 1910 that the first of the elective laws (New Jersey's) was established and operative. Since that time progress has been relatively rapid and today there are only two states (Arkansas and Mississippi) which are without workmen's compensation laws.⁹

Although workmen's compensation laws excluded many classes of employers from benefit, the enactment of these laws awakened the interest of the employers in accident prevention. Insurance companies to whom the employers now shifted the blame retaliated by devising rating plans which penalized employers for dangerous conditions and which gave him "credits" for guarding and other safety features. As soon as industries began to pay this accident bill, interest in safety work awakened rapidly and prompted investigations which showed that accidents could be avoided and also that the expense of safety organization was soon repaid by appreciable savings in insurance rate reductions and other items.¹⁰

SAFETY ENGINEERING

The beginning of man's invention of devices to prevent accidents is lost

⁹ Roushenbush and Stein: "Present Status of Workmen's Compensation Legislation", Labor Cases and Materials, p. 560
¹⁰ DeBlais, Lewis: op.cit., p. 5

in antiquity, but we know that their development in modern times antedated safety organization and safety education. For example, (on the railroad) Stephenson suggested the locomotive steam whistle in 1833. Westinghouse applied the first air brake in 1868; the first test of automatic couplers was made in 1885; three years later the Instate Commerce Commission inaugurated the reporting of railroad accidents; in 1893 (60 years after Stephenson's invention) standard safety equipment was required on railroad trains through the adoption of the Federal Safety Appliance Act. It was not, however, until 1900-1910 that the more important railroads began to organize their employees for a part in the war against accidents and that industrial plants undertook organized accident prevention. The Illinois Steel Company appears to have been the pioneer in organized accident prevention. This movement first centered its attention on safety devices and other mechanical means of protection, and in 1907 under the auspices of the American Institute of Social Sciences, the first public exhibition of safety appliances was held in the American Museum of Natural History in New York. In the same year, the Association of Iron and Steel Electrical Engineers was formed. This body studied the hazards created by electricity in the steel industry and appointed a safety committee - probably the first to be established by any association in the United States. Accident Prevention was a topic of discussion at all its annual meetings and in 1911 it was decided that a conference at which safety would be the sole topic for discussion would be held. The year 1911 also saw the foundation of the Mine Safety Association and the incorporation of the American Museum of Safety in New York.¹¹

¹¹ Ibid, p. 5-6

ORGANIZATION OF SAFETY COUNCIL

About this time, 1921, a small group of men interested in safety work met at Milwaukee under the auspices of the Association of Iron and Steel Electrical Engineers. These pioneers, representing industrial corporation, government departments, insurance companies, and other groups found that by exchanging ideas a veritable science of safety could be evolved. Their enthusiasm brought the vision of a great national association. A call was sent out for a larger convention and as a result, one year later in New York City the National Safety Council was organized.

The National Safety Council immediately became the official sponsor of the Safety Movement. It is a cooperative non-profit organization which functions as a national clearing house of safety ideas and safety data which have been found useful in accident prevention. Its membership is made up of industrial corporations, government departments, civic organizations, insurance companies, firms and individuals representing over 25,000 workshops and more than 12 million workers. These members exchange through the council their improved plans for safety and have evolved scientific methods of accident control.

The progress of the safety movement in the United States is tied up closely, therefore, with the progress of the National Safety Council as an organization. The Council has led in a new and deeper interpretation of the safety idea. Departments of Traffic and Transportation and Home and Farm Safety have also been organized and have operated a wide and salutary influence. The schools have been brought into the movement to teach safety

fundamentals to children. Community councils have been developed in many of the large cities and regional offices established which cooperate closely with the National headquarters in Chicago. Both in war and peace the National Safety Council has been called upon by the President of the United States to mobilize the safety forces of the nation in a united attack on accidents. At the beginning of World War II President Roosevelt requested such leadership from the Council and at the close of the war, President Truman asked the Council to head up the post-war accident prevention program. During the war the Council also worked in active cooperation with many agencies of the government in eliminating accidents that were hindering the war effort. These agencies included the War and Navy Departments; the War Production Board, the Office of Civilian Defense, the Maritime Commission, the Air Service Command and other federal departments and bureaus.¹²

SUMMING UP

Accident prevention work is now organized on a firm basis in a vast number of industries and committees from coast to coast. Individual corporations have effected phenomenal cuts in their accident rates, some in an incredibly short time, and hundreds of others both large and small have made creditable reductions in the number of deaths and injuries to workers.

The newer and more enlightened principle of workmen's compensation brushed aside the question of negligence and dealt with the general accident situation in a broader way. There was to be no more haggling over who was to blame in each case; the burden of compensating the victims or their dependents

¹² Ibid, p. 6

must be borne by industry; the greater part by its employers and the remainder by the injured employees, not in money contributions but by accepting a share of the loss. Of course, this was not preventing compensation in the sense of paying a man the full value of something which he had lost - rather it was partial indemnity. The important feature, however, was that it did away with most of the complicated legal procedure, the delay and disappointment that was likely to follow. The victim or his dependents might not receive very much but were at least assured of something, and within a reasonable time. All cases, moreover, were given equally fair treatment.¹³

"But one mustn't imagine that the safety movement was born precisely at one time or in one place or that it came into being with the creative efforts of any one organization or through the efforts of a single individual or special group. There was a multitude of independent pioneers in the factories, mines, railroads, insurance companies, and federal and state bureaus. There were pioneers among the organizations of the country including the National Association of Manufacturers and the American Red Cross. The safety movement was a product of the times - the child of necessity and enlightenment after years of hardship, suffering and factory system, the abuse of labor, injustice under employer's liability and finally the enactment of compensation laws, all hastened its arrival. Men's minds turned naturally to preventing rather than mitigating the consequences of accidents and they were ready to enter the greatest of all wars." ¹⁴

¹³ Ibid, p. 6-7

¹⁴ Ibid, p. 7

CHAPTER II - RESPONSIBILITIES FOR SAFETY

SAFETY'S MORAL AND LEGAL APPLICATIONS

UNION PARTICIPATION IN SAFETY

LEGAL REQUIREMENTS

LABOR-MANAGEMENT AGREEMENT

CHAPTER II

RESPONSIBILITIES FOR SAFETY

SAFETY'S MORAL AND LEGAL APPLICATIONS

As pointed out by the Committee on Labor-Management Cooperation for Safety in their Report to the President during his conference¹ on industrial safety, safety is primarily the legal and moral obligation of the employer. The final responsibility for accident prevention must necessarily rest upon management and must extend to all levels of management because management directs and controls all plant functions and operations. The employer, they emphatically state, must "have a sincere and continuing interest in providing for the safety of Employees" which he demonstrates by initiating a sound safety program with the policies, procedures and staff necessary to make it effective, by providing safe working conditions, machinery, equipment and personal safety protective devices and apparel where necessary, by developing effective employee and supervisory training programs by encouraging employee interest and participation by making available channels through which employees may offer suggestions, advice and recommendations for the improvement of safety.

Cooperation, they go on to say, in the safety program is the moral obligation of each individual employee in that by virtue of their employment they accept the obligation to cooperate with management in observing all reasonable rules, regulations and instructions provided for their protection.

¹ Held in Washington, D.C., March 23, 24, 25, 1949

Employees demonstrate this by working safely at their jobs, having regard at all time for the safety of fellow employees, using knowledge and influence to prevent accidents, calling attention to unsafe conditions, contributing ideas, suggestions, and recommendations for the improvement of safety and reporting promptly unsafe practices and conditions.

In unionized plants the welfare of the employees places upon the labor union a moral obligation to cooperate in accident prevention within the framework of its agreed upon participation. For as the encyclical, Rerum Novarum, declares most appropriately, "these working men's associations should be organized and governed so as to furnish the best and most suitable means to what is aimed at, that is to say, for helping each member to better his condition to the utmost in body, sould and property".

UNION PARTICIPATION IN SAFETY

Unions should participate in safety activities both inside and without the plant. Activities among the union membership outside the plant might well include the following:

- (a) Appoint a safety committee in each local union to serve as a standing committee and to have charge of all safety matters including the planning of a safety program for the local;
- (b) Provide for regular discussions of safety at regular meetings and possibly the holding of special meetings for this purpose;
- (c) Plan programs and secure exhibits, visual educational material and speakers for the meetings;
- (d) Secure and study safety literature and information with particular reference to the occupation of members;

(e) Secure or produce literature and information to be distributed among members;

(f) Offer and carry out participation in local regular or national safety meetings, promote attendance, help plan programs;

(g) Promote safe driving among members, using education of members, organizing of safe drivers clubs;

(h) Conduct a home safety program, through the dissemination of information, provision of home safety check lists, etc;

(i) Promote safety among children by sponsoring of school programs, club activities, bicycle inspection;

(j) Conduct first aid classes among members and members of their families;

(k) Prepare articles for local and national union magazines and news letters dealing with all aspects of safety as it affects members and disseminating news about the safety activities of the local.

Activities within the plant vary due to contract terms and type of organizational setup but in general they might include the following:

(a) Cooperate fully with the safety organization of the plant;

(b) Bring about through education, discipline and other methods available, the compliance of all union members with safety rules and regulations which are needed for their protection;

(c) Offer through official channels the cooperation and assistance of the plant union organization with the management in carrying on of safety program;

(d) If possible, have some connection between the union and the plant

safety committee;

(e) If possible, have a safety section written into the contract binding the employer to the provisions of safe working conditions and safety devices and the members to compliance with rules and regulations;

(f) If possible, arrange for a committee to study with representatives of the employer the safe methods for carrying on the work.

LEGAL REQUIREMENTS

Under common law both employer and employee are obliged to conduct themselves in a manner not likely to cause harm to person or property. In addition the employer must:

(a) Provide a reasonably safe and healthy place in which to work; to warn employees and trespassers alike of, and shield them from, unsafe conditions customary or casual to their employment or to the premises;

(b) Determine and comply with Federal, State and Municipal codes or other authoritative standards pertaining to the physical plant and equipment involved,

(c) Have a full knowledge of employers and employees obligations as stipulated by various State and Federal Compensation laws which have specific reference to recommended operation procedure,

(d) Know the legal requirements involving contractors in respect to production to be provided the employer himself against personal injury or public liability claims, that legal requirements specified by the Public Utilities Commissions regarding method and procedure for hiring outside truckers, the regulation involving railroad shipping labor employees and

employees on the high seas, and the regulation regarding the safeguard of plant or premises against unauthorized trespassing.

LABOR-MANAGEMENT AGREEMENT

Certainly there should be no labor and management disagreements over accident prevention. Management stands to gain through increased operating efficiency; employees, through the reduction of lost earnings resulting from injuries; and the employee's representatives, the unions, stand to gain in prestige by their ability to claim one more constructive measure which they have been able to obtain for their membership.

As so, Barkin says in his article,

"Labor-Management cooperation in the field of safety is a proving ground for a significant phase of American industrial relations. Unless we are able to raise the handling of the safety problem to a cooperative level, we shall indefinitely continue the era of industrial strife and high rates of industrial accidents and disease. Because industrial casualties reflect not only bad working conditions but also emotional disturbances, tensions and anxieties inherent in employment, we may consider the rate of industrial casualties due both to accident and disease as an excellent barometer of the health of our country".²

² Barkin, Solomon; "A Labor View of the Safety Problem", Transactions, 17th Annual Safety Congress, March 26, 1947

CHAPTER III - CONTRIBUTIONS OF LABOR AND INDUSTRIAL LEADERS TO SAFETY

IN RETROSPECT

TABULATION OF INFORMATION SHEET ON PLANT HEALTH AND SAFETY

LABOR ENLISTS FOR SAFETY

CONFERENCES OF PULP AND PAPER INDUSTRY

DEVELOPMENT OF SAFETY CLAUSES

SAMPLE CLAUSES

CHICAGO C.I.O. PROGRAM

FORD PLAN

THE COURSE ITSELF

ENDS OF THE PROGRAM

JOINT SAFETY PROGRAMS

CHAPTER III

CONTRIBUTIONS OF LABOR AND INDUSTRIAL LEADERS TO SAFETY

IN RETROSPECT

During the years prior to the second world war, labor concentrated its strength, and rightly so, toward raising the living standards of the American worker. Such things as wages and hours were paramount in their thinking. But in recent years, labor has taken an ever increasing interest in other than wage and hour clauses of the collective bargaining agreement. The responsible leaders of labor know that the day will come when workers will have to look elsewhere than in their pay envelopes for improvements in their social and economic security. More and more the overwhelming majority of workers are becoming interested in what can be done towards making the job a healthier and safer way of earning a livelihood.

"For too many years we in labor have been too busy with other problems to pay too much attention to safety. We made sure that we had workingmen's compensation laws on the statute books so that a worker had some respectable way of carrying on and supporting his family while he was disabled. It took us many years to realize that this was not enough; that we couldn't grant the assumption that safety was management's sole prerogative. It wasn't management that had all those deaths and other work injuries. It was our people, workers, who were killed and disabled. It's high time we began to look after the life and health of our people." ¹

Proof of the above paragraphs can be seen in the following tabulation of information collected by the Chicago Industrial Union Council, CIO

¹ Bible, "Labor and Industrial Safety", Bulletin of Metal Trades, A.F.L., Washington, D.C., March, 1947

Community Services Committee from a questionnaire survey they conducted. Clearly shown is the increase of safety clauses and other safety plans in the years following the war up to the present.

TABULATION OF INFORMATION SHEET ON PLANT HEALTH AND SAFETY

1. Does your local union have safety clauses?

Yes 26 No 13

2. When established?

1948 - 3; 1947 - 10; 1946 - 4; 1945 - 1; 1944 - 3; 1943 - 2;
1937 - 2; 1 each in the years, 1936, 1938, 1942.

3. Has your local union ever requested in negotiations with the company that a joint union management safety committee be set up?

4. Do you now have a joint labor-management safety committee?

Yes 26 No 11

5. Does your local select its own representative to sit on that joint committee?

Yes 27 No 11

6. Is there a clause in your contract which compels the establishment of a joint safety committee?

Yes 16 No 19

7. Does this committee meet regularly?

Yes 16 No 19

8. How often?

Monthly - 18; Semi-Monthly - 3; Quarterly - 2; Bi-Monthly - 1;
Weekly - 1

9. How are your relationships with management on this committee?

Excellent - 7; Good - 13; Fair - 7; Poor - 2

10. Do you have any figures showing the accident rate in your plant before and after your joint committee was set up?

All but three of the local unions presenting some figures on accident rates before and after the establishment of the joint safety committee indicate a lower accident rate. Two of the locals giving some indication of change in accident rates do not have regular union management committees. In one the negotiation committee handles safety matters as a regularly established contract procedure. In another local they report a safety committee in the plant on which both union and non-union workers are members. In this first instance the safety procedure was established in 1936 and the local reports that they have no figures but that safety conditions are much better. In the second, the local reports that the plant has a perfect safety record in 1948 and previous years have been excellent. Other unions report that with the establishment of the joint commission, accidents and accident frequency decreased.

One union reported that they have no committee but that the accident rate is low. This company, American Telephone and Telegraph, is extremely safety conscious. The other companies surveyed and the unions reporting in this study are listed in Appendix A and Appendix B.

LABOR ENLISTS FOR SAFETY

The National Safety Congress held in October, 1943, devoted a special session to labor and safety. At this session, six of America's top labor leaders, all members of the National Safety Council governing boards (Thomas Cashen, Chairman, Railway Labor Executive Association; William Green, President, A.F.L.; Phillip Murray, President, C.I.O.; James B. Carey,

Secretary, C.I.O.; A. E. Lyon, Executive Secretary, Railway Labor Executive Association; and Robert I. Watt, International Representative, A.F.L.), endeavored to develop a program for labor's fuller part in the safety movement by developing in collaboration with management and government leaders an eight point program. It read:

- (1) It is recognized that the worker has the most direct interest in accident prevention since it is he who must bear the pain and suffering of an injury in addition to the loss of income incident to an accident. Therefore, promotion of safety should be just as definite an object of labor as wages, working conditions.
- (2) Management should actively seek labor's cooperation.
- (3) Education in what safety means should be stressed by management and labor to the end that the attack on unsafe conditions and practices can be centered at the job level through full knowledge of every man (worker) of the principles of safety.
- (4) Cooperation of workers must be sought without distracting in any way from the necessity for expert and professional safety guidance in the plant.
- (5) Plant safety committees should always function in full cooperation with and under the official sponsorship of the plant safety committee.
- (6) The basic responsibility for safety and the safety program is that of management. Labor recognizes that its cooperative effort must be dovetailed into the man structure with recognition of the authority of man that runs concurrently with its basic responsibility.
- (7) Physical condition of the plant with respect to cleanliness, sanitation and general housekeeping is an essential factor in any labor relations setup.
- (8) It is our opinion and we request that the president

of the National Safety Council so communicate to the heads of organized labor and management that we feel full cooperation of organized labor is desired with the National Safety Council in order to put across the best safety program we can.

CONFERENCES OF PULP AND PAPER INDUSTRY

During 1946 and 1947 joint labor-management safety conferences were held by the Pulp and Paper Industry of Washington, Oregon and California. These conferences are an example of labor-management cooperation for safety in the Pacific Coast pulp and paper industry. All the discussions were down to earth and were participated in by approximately 200 delegates representing 32 plants and state safety officials from Washington, Oregon and California. They emphasized the use of plant safety committees and their place in the scheme of safety; first aid training and what it can do not only in equipping supervisors and workers to aid injured employees after an accident occurs but more important what such training will do in making all concerned more safety conscious; and lastly, tried to restate and interpret the viewpoints of workers and management representatives concerning what they felt were factors tending to impede progress in accomplishing the best results in accident prevention and what could develop a cooperative spirit on the part of all concerned in the promotion of a well organized and intelligent accident prevention. The state conferences grew out of the collective bargaining negotiations between the Pacific Coast Association of Pulp and Paper Manufacturers representing its 32 member plants in the three states of the International Brotherhood of Paper Makers and International Brotherhood of Pulp, Sulphate and Paper Mill workers which represent

approximately 15,000 workers in those member plants.²

DEVELOPMENT OF SAFETY CLAUSES

The increased interest in safety by unions has manifested itself in the development of detailed health and safety clauses proposed as one of the items in contract negotiations, in the training and assignment of their own safety inspectors and in their expressed desire to participate in the accident prevention activities organized by management.

Accident prevention clauses in union contracts run the gamut from a brief statement such as "The company agrees to provide safe and healthful working conditions and the union agrees to encourage safe working practices among its members..." to the lengthy clause developed by a staff group of a national labor organization which contains such extreme provisions as to make it obviously no more than a bargaining device.³

Believing that accident prevention is a function of management and supervision, some management men believe union contracts should not include safety and health clauses since it is not a matter for collective bargaining. However, the unions themselves, government representatives and other management men believe that unions should bargain with management to obtain protective health and safety measures for their members since the unions are formed presumably to enhance the general welfare of their members. When accident prevention is made the subject of collective bargaining both the

² Three Joint Labor-Management Conferences, Pulp and Paper Industry, Reprinted through the Bureau of Labor Standards, U. S. Department of Labor, Washington, D.C., April, 1948

³ Lippert, Frederick G.: Accident Prevention Administration, pp. 66-85

union and management must accept a share of the responsibility. At the very least, the union should cooperate with the managements by accident prevention programs, by encouraging proper use of the accident prevention facilities and services provided by management.

SAMPLE CLAUSES

Certain long established unions as the International Association of Machinists and United Mine Workers have for many years carried contract clauses providing for joint union-management safety committees as well as detailed provisions on safety and health.

National Bituminous Coal Wage Agreement which was signed on July 7, 1947, provided for mine safety committees. The agreement includes the following paragraph:

The Mine Safety Committee may inspect any mine development or equipment used in producing coal. If the committee believes conditions found endanger the life and bodies of the mine workers, it shall report its findings or recommendations to the management. In those special instances where the committee believes an immediate danger exists and the committee recommends to the management the removal of all mine workers from the unsafe area, the operator is required to follow the recommendation of the committee.⁴

General Foods Coporation - Safety Committee. In order to further the cause of safety, a safety committee shall be maintained consisting of four members, two members appointed by the union. The committee shall meet at least once each month.⁵

⁴ Ibid, pp. 85-96

⁵ Ibid, pp. 85-96

Ford Instrument Company - The employer recognized the importance of safety provisions in the plant for the protection of the health, life and limb of the employees, and the employer will make every effort to maintain such conditions conducive to health and safety of the employees. A safety committee, including a representative of the union in the employ of the employer, will assist in planning the safety program. The union representative on the safety committee and a representative of the employer shall inspect the plants of the employer once every three weeks.⁶

Johns-Manville Corporation - Employees are to comply with all safety rules as established by the company from time to time and cooperate fully with the management to enforce safety measures. Each employee shall sign a safety pledge. Employees are to comply with all safety rules as established by the company from time to time and are to cooperate fully with management to enforce safety measures and shall use necessary safety equipment provided by the company.⁷

CHICAGO C.I.O. PROGRAM

The Chicago Industrial Council, C.I.O., through its community services has a program for health and safety training for local union representatives. The course is six weeks long and is intended to familiarize union people with the ways and means of protecting the worker's safety and health on the job so that they can serve on their local union Health and Safety Committees.

⁶ Ibid, pp. 85-96

⁷ Ibid, pp. 85-96

As Myrna Bardelon says in her "Viewpoints of the C.I.O.",

The Chicago C.I.O. Council intends to expand its training programs as rapidly as possible to all C.I.O. local unions. These unions represent a total of 225,000 workers in Cook County. The trained union people can be a tremendous asset to management, to government and to the community if they get a chance to use their own collective intelligence in the solution of their health and safety problems. Let me make it clear that we have no desire to "take over" management's primary responsibility for providing healthful and safe working conditions. We are aware that the worker happens to be the victim of accident and disease. We believe that he has a right to participation through his union in the protection of his life and health. We have found that the success of health education efforts hinges upon the development of active trained union committees working with management.⁸

FORD PLAN

The U.A.W., C.I.O., Ford Local 600 is an excellent example of what organized labor can do for safety. Local 600 which represents the 6000 workers of the Ford Motor Company, Rouge Plant, and which is comprised of 16 units or buildings has in each unit or building a committee of three who carry on their respective safety programs. The Health and Safety Committee of the Local union meets with top company officials at least once a month to take care of the safety hazards which could not be settled by the unit or building committees. In addition to this they have decided to develop leaders from their memberships in a "crusade against avoidable accidents".⁹

Leslie Anderson, Executive Secretary of the Health and Safety Institute says in describing the plan:

⁸ Bardelon, Myrna S.: "Viewpoints of teh C.I.O.", What's New in Industrial Hygiene, Vol. 4, No. 3, Chicago, pp. 5-8

⁹ Anderson, Leslie A.: "Our Safety Program and Its Objectives", Transactions, Vol. II, 1947

The Union decided to train men and women who could speak authoritatively on all questions pertaining to industrial safety and to develop men and women who would hold the respect of their employer and the confidence of their fellow workers. It was imperative, therefore, that any educational program must be interesting enough to, first, hold the attention of the workers and, secondly, create within him a desire for more knowledge - a desire which would be strong enough so that upon completion of the study course the graduate, because of his new knowledge, would have confidence in himself and be able to speak out with authority. ¹⁰

About two years ago the Health Institute invited representatives from labor, the Detroit Department of Health, Bureau of Industrial Health, U. S. Department of Labor, National Safety Council, U. S. Public Health Service, Michigan Mutual Liabilities Insurance Company, and Wayne University to join a candid discussion on a course to be used. ¹¹

THE COURSE ITSELF

The basis of the program is the one set up by the Department of Labor during the war for training management personnel. In order to maintain interest the program is divided into three parts:

A twelve hour course for beginners which covers six subjects:

- (1) Introduction to Accident Prevention
- (2) New Worker
- (3) Older Employee
- (4) Job Analysis
- (5) Industrial Health Hazards
- (6) Fire Hazards

A twenty-four hour intermediate course which includes the following:

¹⁰ Ibid

¹¹ Ibid

- (1) History of the Safety Movement
- (2) Benefits of Industrial Movement
- (3) Records Required to Justify a Safety Program
- (4) Preparing a Program
- (5) Mechanical Safety Guards #1
- (6) Mechanical Safety Guards #2
- (7) Personnel Protection
- (8) Organizing a Safety Committee
- (9) Duties of a Safety Committee
- (10) Industrial First Aid

A thirty-two hour advanced course on sixteen subjects which, upon completion, secures for its graduates a diploma from Wayne University. ¹²

ENDS OF THE PROGRAM

First, to educate union members so they can intelligently discuss questions of health and safety with management. Secondly, to give workers in the shop and through them their families accurate information on methods of accident prevention and positive health practices. Thirdly, to serve the community by having every member of organized labor a leader in the fight to control accidents and disease. ¹³

JOINT SAFETY PROGRAMS

A good example of a joint safety program is that of the Forstmann Woolen Co. and Local 656, Textile Workers Union of America, C.I.O. which has won the Distinguished Service to Safety Award of the National Safety Council for the calendar years, 1945-1946. They are the only woolen textile mill in the United States which has received this award for two consecutive years. ¹⁴

¹² Ibid

¹³ Ibid

¹⁴ "Case Studies of Cooperation Between Labor and Management", No. 1, Rutgers University Institute of Management and Labor Relations, 1948

In "United for Safety" the booklet outlining their joint activities to prevent accidents, the parties declare:

We are in agreement that accident prevention can best be accomplished by cooperation. Safety is a non-controversial matter. It is a common cause. Both company and union are pledged to work in the interests of safety. ¹⁵

Sol Stetlin, Vice-President and Regional Director of the T.W.U.A., C.I.O., said:

The stated aim is to reduce the accident rate in the mill. In this respect statistics prove that the plan has achieved remarkable results. However, in my opinion this joint program is having an effect upon the workers' attitude toward his job which, though it cannot be measured as readily, is of equal importance. Although he does not have the responsibility of making final decisions in regard to changes, he may suggest, the worker does have the responsibility of checking the safety hazards in his department. Thus, he finds a much needed means of self expression through his work. Also, he works constructively with his superior on a matter of common interest and vital concern to all. This develops a sense of personal dignity and gives the worker pride in his job. ¹⁶

From the point of view of management, Glenn Gardiner, Vice-President of Forstmann, said:

Safety is inherently a non-controversial phase of management-labor relations. Management and labor have a mutual interest in accident prevention. Therefore, joint cooperative efforts should be employed to prevent accidents and injuries. The surest way to increase the frequency is to let safety become a matter of controversy and dispute. Final responsibility rests upon management and its representatives but cooperation and participation by workers and their representatives can work wonders in promoting safety. ¹⁷

¹⁵ Ibid

¹⁶ Ibid

¹⁷ Ibid

International Woodworkers of American, C.I.O., Columbia Basin, is another example of a workable joint safety program. They have been accomplishing great things in safety and believe that the success of any safety program rests upon whether or not each (labor and management) does its part. What they consider to be the minimum requirements of both union and management responsibilities are very enlightening. They are as follows:

- (1) that appointments should be made to keep the safety committee at its full membership at all times and that these members function or be replaced by others who will;
- (2) that meetings be held regularly;
- (3) that minutes of these meetings and management's answers be prepared and posted on the bulletin board so that the entire crew may know of the actions and recommendations of the safety committee and final disposition of these recommendations;
- (4) that all lost time accidents are investigated and reports made for record;
- (5) because we are dealing with causes that may mean life, death or disability of a workingman, the utmost caution should be used that no safety problem will become a grievance until it has been handled by the Safety Committee and the state agencies: disagreements over safety matters must be put through all the machinery available for settlement before any action is taken. ¹⁸

¹⁸ "Safety Program - Handbook for Lumber Industry", International Woodworkers of America, C.I.O., Columbia Basin Loggers, 1945

CHAPTER IV - RECOMMENDATIONS FOR THE FUTURE

RECOMMENDATIONS FOR MANAGEMENT

RECOMMENDATIONS FOR THE STATE

RECOMMENDATIONS FOR ORGANIZED LABOR

A POSSIBLE SAFETY PLAN FOR THE FUTURE

CHAPTER IV

RECOMMENDATIONS FOR THE FUTURE

Accident prevention should be a non-controversial matter. Both labor and management lose heavily when an employee is injured. The heaviest sufferer of all is the employee who has to endure the pain and sufferings resulting from the accident as well as the loss of his earning power. Since unions represent the interests of the employees, they cannot fail to be vitally interested in the prevention of accidents. Through the loss of employee time, skill, and morale, as well as through damage to equipment, medical, surgical and compensational costs, management suffers by accidents.

RECOMMENDATIONS FOR MANAGEMENT

Management should be convinced that it should develop and maintain interest in safety for four reasons:

(1) Economically: today manpower is one of the greatest assets that individual management can possess. From the standpoint of progress and loss figures, many managements can replace machines easier and less expensively than they can replace trained manpower. Economic loss is made even more serious by the additional loss of hundreds of millions of man hours, from accidents causing temporary or permanent disability. In short, a safe flow of work is also an economical one. Safety is just plain good, sound business.

(2) Employee Relationships: workers are the agents of management in using tools of production to process raw materials and, as such, deserve as much care as is given the machines they operate. The health and safety

of their employees is management's greatest asset because when management shows a low accident frequency rate, they will also show a low severity rate which in turn will insure a happy family of employees working not only in their own interest but working also for the interest of their employer. Also, there will be less labor turnover.

(3) Public Relations: a safe place to work helps prevent biases and prejudices from being formed by the people against the product manufactured. Also a safe and healthy place to work draws more employees and has a better standing in the community. Then, too, accidents not only affect the person involved but also cause economic sufferings for their dependents, financial expense to industry and, most of them, some degree of welfare burden to the community.

(4) The Humanitarian Aspect: man is a human being with a God given right to life. As such he deserves to be treated with dignity so as to live that life unmolested by physical evils caused by his working conditions.

RECOMMENDATIONS FOR THE STATE

State and Federal agencies should try to formulate some form of universal code of safety and compensation laws and accident reporting system so that all men in America might receive the protection that should be theirs. Present loopholes and shortcomings in laws should be corrected. The state must remember what the papal encyclicals long have proclaimed - that the state exists for the good of the people. State and federal agencies should broaden their services in training inspectors and in training industrial personnel in safe practices incidental to inspection programs.

RECOMMENDATIONS FOR ORGANIZED LABOR

Organized labor should expand the developments of union safety programs with direction by qualified full time directors at the international union level and trained representatives at regional, district and local levels of union organization. Since workers have more to lose by industrial accidents and more to gain by safety than anyone else, progressive labor organizations should promote an interest in industrial safety.

A POSSIBLE SAFETY PLAN FOR THE FUTURE

According to the studies of industrial accidents, more than 80% of them are the result wholly or in part of personal causes. Hence, education which affects the viewpoints, behavior, and attitudes of the individual is a patent factor in the reduction of accidents in industry or elsewhere. The basic requirement to individual employee safety is the development of a "safety attitude".

Safety education must be concerned with the whole mental life of the individual, his emotional as well as his intellect. Labor needs a program of safety education that strives to develop safe attitudes that detects and measures the change in attitudes and corrects and directs these attitudes back to safe performance.¹

Attitudes are made up of prejudices, sentiments, pride, ideals, beliefs, fears and one hundred little variations of feeling and emotions that shape the personality and determine the character and quality of the individual

¹ Schmedhauser, H.B.: "Labor Part in Safety", Safety Man's Clinic #3, April 11, 1946

behavior. These feelings and emotions must be shaped and trained until they are safe tools toward safety. Attitudes are transmitted from one man to another. In the case of industrial prejudices, they become fixed in some practice and are handed down from journeymen to apprentices, from foremen to trainees, in practically unmodified form despite the accumulation of efforts and knowledge that have led to their establishment as good practice, prejudices exist against the use of safety guards and goggles and against safe practices. You cannot deal with these prejudices by developing the worker's intellect: we can only attack his feelings on the matter. What labor needs is a program which will eliminate these prejudices, which will provide not only the know how of safety but which creates as well a safety attitude. New attitudes must be built.²

Now who can best supply the workers with a safety attitude? Management? Up to now safety has been a management program and operated too much from the front office and too little from the ranks of the workers themselves. The present method is failing to secure the results that are needed. The average worker rightly or wrongly is suspicious of front office methods. There is, of course, some reason for the worker's attitude since he has often suffered in the past at their hands.

The relation of the worker to his job and his active participation in the safety program are the major determinants of his ultimate attitude toward safety. The individual must use the devices, safeguards and services

² Ibid

provided and handle himself in a safe manner to keep the worker constantly alert and maintain his interest brings the safety program in close touch with the human relations program of the company. A personal sense of responsibility must be awakened for effective safety work.

In their working environment, workers are moved into action more effectively as members of groups than as individuals. Employee cooperation can be most easily secured by making each of them a part in a group. Individual interest and cooperation can be awakened - a definite relationship between the job and safety can be established.

The creative opportunities of group behavior have been seen in such things as bowling, ball playing, etc., so just imagine what could be accomplished in the field of industrial safety.

Now the normal and natural group to carry out these safety plans are the unions. A union is formed by workers to act on their behalf and, naturally and logically, services and holds their confidence. It serves its members in economic and social activities - in short, it is a brotherhood of workers - they identify their interest and economic salvation with it. Now since a safety program necessitates a high degree of participation by workers, why not use the medium which develops that group loyalty and interest, which insures individual action, attention and cooperation - namely, why not initiate the safety program and provisions within the union instead of initiating them within management. Surely the workers know best as regards the necessary guards, etc., for it is they - not management - who run the machines and who suffer when an accident occurs.

The worker may know the need of safety and safety precautions; management representatives may know the need; engineers paid by management may help create the means for filling these needs, but still the problem exists. Why doesn't the worker utilize these means, why must management and its representatives force workers to use the various safety precautions and even punish them for not using the means that might mean the preservation of a limb, eye or a life? The union exists for the good of the worker. Therefore, it follows that it should and must initiate an educational program among its members making them aware of the safety problem and above all 'safety conscious'.

APPENDIX A

LIST OF COMPANIES SURVEYED IN STUDY ON PLANT HEALTH AND SAFETY

American Can Company (Maywood Sanitary Plant)
American Can Company
American Stove Company
American Telephone and Telegraph Company
Bee Jay Products Company
Chicago Malleable Castings Company
Central Screw Company
Chrome-Rite Company
L. A. Cohn & Bros.
Container Corporation of America
Continental Can Company
Crane Company
Ethican Suture Company
General Motors (Electro-Motive Division)
William D. Gibson Company
Globe Company
Goodyear Company
Handaill-Hershey (Chicago Bumpers Division)
Illinois Bell Telephone Company
Inland Steel Container Company
Interlake Iron Corporation
International Harvester Company (Melrose Park Works)
Jernberg Forging Company
Judson Rubber Company
Link Belt Company (Caldwell Plant)
McAlear Manufacturing Company
Mitchel Manufacturing Company
Palmer Asbestos Company
Peerless Rubber Company
Pioneer Paper Stock Company
Pullman Company
Russakav Can Company
San Equipment, Inc.
Steel Sales Corporation
Swift & Company
Warwick Manufacturing Corporation
W. M. Welch Manufacturing Company
Western Foundry
Western Felt Works
Willwon Steel & Wire Company
Wilson Jones Company

APPENDIX B

LIST OF UNIONS REPORTING IN STUDY ON PLANT HEALTH AND SAFETY

UAW	6	TWUA	190
UAW	551	TWUA	958
UAW	719		
UAW	932		
		USA	1135
		USA	1410
U.W.	1121	USA	1422
		USA	1478
		USA	1657
UPWA	28	USA	1936
UPWA	237	USA	2047
		USA	2154
		USA	2157
UPA	148	USA	2226
UPA	325	USA	2330
UPA	1204	USA	2374
UPA	1208	USA	2460
		USA	2563
		USA	2674
PJNW	318	USA	2809
		USA	3415
		USA	3700
URCLP	1	USA	3848
		USA	3868
		USA	3888
UTSE	90	USA	4081
TWOC	4		

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Harold C. Zulauf, Chairman

____; Report of Committee on Education, C. W. Beese, Chairman

____; Report of Committee on Engineering, James E. Trainer, Chairman

____; Report of Committee on Programs and Services, Fred W. Braun,
Chairman

____; Report of Committee on Accident Records; Analysis and Use, Ewan
Clague, Chairman