

## Troubled passage: the labor movement and the Fair Labor Standards Act

*Historical events show that oppositions within the labor movement had prolonged passage of legislation relating to minimum wages and maximum hours, contained in the Fair Labor Standards Act of 1938*

Howard D. Samuel

For most observers, the issue of statutory labor standards is inalterably linked to the labor movement. And indeed it has been, starting early in the 19th Century when the earliest efforts to enact maximum hours legislation took place at the State level, to the year 2000, when raising the minimum wage was once again on the Congressional agenda. Organized labor has played a significant role in supporting the improvement of labor standards for all of this century and a half—with one exception—minimum wages for male workers imposed and enforced by the Federal Government. Starting in 1937, when wage and hour legislation was proposed to apply to all workers—not just women and minors or workers in nonunion companies—and when it was proposed that a Federal agency be created to enforce standards—despite the unwavering support of President Roosevelt, and the dedicated efforts of some labor leaders on behalf of the bill, some elements of the labor movement actively fought the bill, while others held the measure hostage to their specific demands. Labor opponents were not alone, of course. The business community was largely opposed to it, and Southern Democrats often were linked with Republicans in their opposition.

Despite the opposition, however, eventually the Fair Labor Standards Act did pass, and President Roosevelt commented, a few days after he signed it on June 28, 1938, that “I do think that

next to the Social Security Act it is the most important Act that has been passed in the last two to three years.”<sup>1</sup> But it took three sessions of Congress and a monumental effort by the bill’s supporters to get it passed, in no small reason, because of the divisions within the labor movement—which this article explores.

### The early years

For almost a century, prior to passage of the Fair Labor Standards Act, there had been efforts at the State level to enact restrictions on the hours of work—particularly for women and children. The demand for shorter hours was largely a consequence of economic changes—including cyclical unemployment—as the Nation gradually moved from an agrarian to an industrial society.

By 1840, most skilled trades had won the 10-hour day in eastern cities and towns. In addition, the National Trades Union—a short-lived coalition of skilled trades unions—persuaded President Van Buren to issue an executive order establishing a 10-hour day on Government work. During the next 20 years, a number of States mandated 10-hour days for all workers—although enforcement was weak.

After the Civil War, labor turned its attention to winning the 8-hour day, which became a principal goal of the new National Labor Union, headed by William H. Sylvius.

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Its slogan was “Whether you work by the piece or work by the day, decreasing the hours increases the pay.”<sup>22</sup> The pressure paid off when Congress passed a law in 1868, enacting an 8-hour day for Federal Government employees, and similar laws were passed in a number of States, most, however, with inadequate provision for effective enforcement. But meanwhile, an increasing number of States were passing more muscular laws limiting hours for women and children.

The 8-hour day was a major goal of the newly formed American Federation of Labor (AFL) in 1886, under its president, Samuel Gompers. According to Gompers, “The answer to all opponents of shorter hours...so long as there is one man who seeks employment and cannot obtain it the hours of labor are too long.”<sup>23</sup> However, Gompers was referring to the obligation of employers to accept the shorter hour’s goal. Neither Gompers nor the AFL were ready to support legislation establishing labor standards, at least for the majority of union members, who were men. In 1913, Gompers was quoted as insisting that, “If it were proposed in this country to vest authority in any tribunal to fix by law wages for men, labor would protest by every means in its power.”<sup>24</sup> At the 1914 AFL convention, delegates approved a resolution, by a 3–2 majority, opposing the shorter work-hours legislation, which was supported by Gompers. But the forces opposing any kind of legislation were beginning to lose support; the same resolution won passage at the 1915 convention by a bare majority.

At the same time, the logic behind approving legislative standards for women—but not for men—focused on the difficulty of organizing women and thus affording them the protection of collective bargaining, which was intended to insulate male workers from exploitation. Similarly, the AFL could endorse legislated standards for Government workers, because it “drew a distinction between Government as an employer and Government as a regulator of economic activity.”<sup>25</sup>

Partly because of early labor opposition, laws regulating wages—for women and minors—came much later. In 1913, Massachusetts passed the first State minimum wage law for women, and by 1923, minimum wage laws for women had been enacted in 16 States. In addition, impelled by decisions of the National War Labor Board during 1917–18, the 8-hour day and a 40-cents hourly minimum wage had become accepted practice. Legislatively, in 1918, Congress passed a minimum wage law for women and minors in the District of Columbia.

In 1923, the regulatory process came to an abrupt halt when the Supreme Court in *Adkins v. Children’s Hospital*—specifically in respect to the DC law—disallowed minimum wage laws on the basis that by interfering with the liberty of contract they violated the due process clause of the 5<sup>th</sup> Amendment. Minimum wage laws that were passed thereafter by a number of States were, in effect, advisory, allowing employers to establish their own standards.

The effort to legislate against child labor had a shorter his-

tory. Most of the action in the late 1800s and early 1900s was at the State level; by 1916, virtually every State had passed laws prohibiting child labor. Congress made two efforts to pass similar legislation on the Federal level, in 1916 and 1919, and both laws were overturned by the Supreme Court on constitutional grounds. So in 1924, Congress initiated a Constitutional amendment—which was promptly defeated in most of the States where ratification was attempted. But by the late 1920s, opinion had changed, and by 1937, 28 States—of the 38 needed—had ratified. The child labor provision in the Fair Labor Standards Act made the amendment process moot.

In the early 1930s, motivated by the disaster of the depression, William Green, who had been elected president of the AFL in 1924, reemphasized the importance of a shorter work week as a means of reducing unemployment. Born in Coshocton, Ohio, Green had become a member of the United Mine Workers and gradually won election to a position of leadership. Appointed a member of the Executive Council of the AFL in 1913, Green was elected to succeed Samuel Gompers as president on the latter’s death. However, Green had little of Gompers’ strength or leadership talents, and was obliged to spend much of his term in office trying to steer a course that would be acceptable to the warring presidents of his major affiliates, including those leaders who eventually left the AFL to form the Congress of Industrial Organizations (CIO).

William Green expressed his commitment to the shorter work week in a statement, published by the AFL in 1932, titled “The Five Day Week is Inevitable.” “History shows,” Green stated, “that ever since the beginning of the factory system work hours have continually been shortened while wages have increased.” But the demand was directed at America’s industrialists for a commitment to improve the factory system, not at Government for legislative action. The only Government action Green advocated was to legislate working standards for Federal contractors, which had been mandated in 1931 through the Davis Bacon Act. That same year, Green called for a national economic conference to enable “industry, labor and business . . . to lower recurring periods of unemployment to an irreducible minimum.”<sup>26</sup> There was no mention of a role for Government besides hosting the conference.

## Enter the New Deal

The Great Depression and the election of Franklin D. Roosevelt as President pushed the issues revolving around unemployment, including maximum hours and minimum wages, to the fore. One of the earliest proponents of wage and hours legislation—and perhaps its staunchest supporter in the years ahead—was Sidney Hillman, the founding president of the Amalgamated Clothing Workers of America (ACWA). Born in Lithuania, and brought to this country in 1907, Hillman was elected president of the ACWA in 1914. Over

the years, he had proved to be an innovative and resourceful leader. He became the founding spirit of labor's political action initiatives, and in the mid-1930s was a leader, along with John L. Lewis, in the creation of the CIO.

During the 1920s, Hillman demanded action to overcome the growing economic problems, but according to his biographer, "his was a lonely if not solitary voice, demanding national action on unemployment insurance, low-cost housing, public works, the five-day week and minimum wages."<sup>7</sup>

In 1932, after Roosevelt appointed Frances Perkins to be Secretary of Labor, Hillman sent her a memorandum proposing Government-enforced standards for wages and hours. The President was committed to labor standards—as New York's governor, he had promoted a State law—and under the National Industrial Recovery Act, the New Deal's first major attack on the depression, industries were encouraged to establish "codes of competition" which would include regulated hours and wages. In July 1933, President Roosevelt appealed to employers to agree voluntarily to adopt the 35-hour week and 8-hour day. But the National Labor Board established by the National Recovery Administration (NRA) failed to mandate maximum hours or minimum wages, and within 2 years, when more than 500 voluntary industrial codes were put into effect, most provided for a 40-hour week and minimum wage scales ranging from 12 cents to 70 cents an hour.

The AFL's official attitude toward wage and hour legislation was equivocal. In a statement on unemployment by William Green in January 1935, the AFL President said that "the cure proposed by the AFL is the adoption of a work week which will absorb the unemployed. . . ." There was no mention of legislation to regulate wages, and a year later, in an article on labor's legislative objectives, Green approved the regulation of terms of employment for Government workers, but made no mention of similar protection for anyone else.<sup>8</sup> And at its 1935 convention, the AFL's legislative report also omitted any mention of a minimum wage law covering all workers.<sup>9</sup> In 1936, the AFL submitted labor proposals to both major political party conventions calling for "minimum wage legislation for women and children but not for men."<sup>10</sup>

At its 1937 convention, the Metal Trades and Building Trades Departments, embracing considerable AFL membership, submitted a resolution opposing the creation of a Government agency with power to replace collective bargaining. But it appeared that the AFL was no longer totally opposed to Federal standards. The convention agreed with the principle of "establishing a point below which wages could not be paid and hours of labor beyond which wage earners could not be employed." However, its unhappy experience with the NRA Labor Board and with the recently passed National Labor Relations Act led it to oppose the creation of a board or commission to enforce Federal standards.<sup>11</sup>

But old beliefs die hard. As Secretary Perkins later wrote,

"many AFL officials privately expressed the traditional Gompers doctrine against minimum wages, repeating the old adage that 'the minimum tends to become the maximum.'"<sup>12</sup>

Meanwhile, whatever progress had been made through the NRA in establishing wage and hour standards was again derailed by the Supreme Court. In a unanimous decision in May 1935 (*Schechter Poultry Corp. v. U.S.*) the Court declared that the NRA unreasonably stretched the Federal Government's power to regulate interstate commerce, under Article 1, Section 8 of the Constitution, and had improperly delegated legislative authority to the executive branch in providing for Presidential approval of the codes. A year later, in dealing with the New York State law, the Supreme Court (*Morehead v. N.Y. ex rel Tipaldo*) ruled that neither the Federal Government nor the States could enact a general minimum wage law. At its 1936 convention, the AFL expressed concern about the Court's ruling, but commented that it was more concerned with the "power of the Supreme Court" than with the minimum wage decision itself.<sup>13</sup>

But by the 1936 presidential election, fair labor standards had become a major issue. Earlier that year, Congress had passed the Walsh Healey Public Contract Act, bolstering the Davis Bacon Law, and providing for an 8-hour day and a 40-hour week, with time-and-a-half for overtime, for Federal contractors. The Roosevelt Administration appealed for no changes in hours and wages established under the NRA codes. And early in 1937, President Roosevelt introduced his "court-packing" proposal, which was in large part a reaction to the Court's decisions on the NRA and State wage and hour laws.

### The first session, 1937

Shortly after the demise of the NRA, Secretary Perkins informed President Roosevelt that she had already drafted a labor standards bill, with Sidney Hillman's help. In the meantime, a group of industrial unions under the leadership of John L. Lewis and Hillman were in the process of disassociating themselves from the AFL. Born in Iowa, Lewis became involved in union organizing, and in 1920, was elected president of the United Mineworkers, one of the largest and most powerful unions in the country. In 1935, he led the group of unions out of the AFL, because they were aiming to organize on an industrial basis—rather than on the traditional AFL craft basis. Three years later, after continuing warfare between the two groups, Lewis became president of the Congress of Industrial Organizations (CIO).

In mid-May 1937, the President met with AFL President Green, and a day later, with Sidney Hillman and John L. Lewis, to discuss the details of a labor standards bill. On May 22, 1937, the Black-Connery bill was officially introduced. Named after the chairmen of the Senate and House Labor Commit-

tees respectively, the bill provided for a 40-cent minimum wage and created a Labor Standards Board to establish maximum hours by industry. The introduction of the bill served to disclose the deep divisions within the labor groups. Hillman, who was involved in its creation, gave it his full support. Green opposed the Standards Board and insisted that wages and hours should apply to all workers, without differentials. He also demanded that enforcement should be turned over to the Department of Justice. According to Secretary Perkins, AFL representatives also suggested that the regulatory process set by the bill should not apply to unionized firms. She also claimed that while the bill was under consideration in the Senate, several AFL leaders, including Matthew Woll, a vice president, John Frey, president of the Metal Trades Department, and William Hutchinson, representing the building trades, indicated that they opposed the bill.<sup>14</sup> Lewis, whose interest in the bill was limited because its standards were below the conditions he had achieved for his own members, was more interested in another bill, which provided penalties for companies violating the National Labor Relations Act.

By July, when the Senate Labor Committee was marking up the bill, debate was delayed when it was reported that Green did not favor the bill, and Lewis opposed Federal fixing of wage standards. The bill that reached the Senate floor provided for the establishment of standards by industry, with a floor of 40 cents an hour and 40 hours a week—the whole process under the jurisdiction of a Federal Labor Standards Board. Green wrote a letter to Senator Black warning that the “bill in the form in which it is now before the Senate does not meet the expectations of labor.” But he urged that the Senate pass the bill and amend it at a later stage of the legislative process.<sup>15</sup> The bill passed the Senate on August 1, despite the efforts of several AFL leaders to have the bill recommitted, an effort which was defeated, 36–48.

In the House, Representative Mary Norton had succeeded to the chairmanship of the Labor Committee, following the death of William P. Connery. On the request of Green, Norton made some changes in the Senate bill, including removing industries under collective bargaining. When Green objected to a Labor Standards Board, Norton changed the enforcement agency to an administration agency. Green objected again, claiming that an administrator was worse than a board.<sup>16</sup> Despite the changes, there was little enthusiasm for the bill, and when it reached the Rules Committee, Southern Democrats and Republicans teamed up to block consideration. Congress adjourned without taking action.

## Special session

If the first session of the 75th Congress had not been productive in producing a labor standards bill, the special session called on October 12, 1937 by President Roosevelt was even

less effective. Presidential power, despite the overwhelming election victory in 1936, had been eroded by the President’s losing struggle to pass a “court-packing” bill. This was considered a defeat for the White House, despite the fact that out of it emerged an altered Supreme Court majority, which had approved the Wagner Act and the DC minimum wage for women and minors. In addition, the Nation was entering a recession, with the stock market failing and unemployment rising—a major challenge to an administration which had won its spurs by promising better times. These factors undoubtedly played a role—along with the divisions within organized labor—in the failure of the labor standards bill in the first session, and they continued to spell defeat in the special session—which gave the President none of the objectives he had set for it.

In his message to the Congress, President Roosevelt listed his goals for the session, which began on November 15, 1937. With a glance over his shoulder at labor’s leadership, Roosevelt asked for labor standards legislation in the most general terms. He explained that, “This does not mean that legislation must require immediate uniform minimum hour or wage standards; that is an ultimate goal.”<sup>17</sup> He urged flexibility so industries could adjust. But he added, perhaps in response to William Green’s objections, “. . . we must not forget that no policy of flexibility will be practical unless a coordinating agency has the obligation of inspection and investigation to ensure the recognition and enforcement of what the law requires.”<sup>18</sup> In an August press conference, President Roosevelt reported on a visit from Green, who spoke about “three matters of principle.” The President stated: “He favored retention of collective bargaining, the Walsh Healey bill and not to fix wages lower than the going rate in the vicinity.”<sup>19</sup> As the special session got under way, two unnamed congressional leaders, according to *The New York Times*,<sup>20</sup> predicted that AFL opposition doomed favorable consideration of a labor standards bill. Since the Rules Committee remained adamant, Chairman Norton initiated a discharge petition, which eventually garnered 210 signatures—enough to bring the issue to the House floor for debate and vote. At the request of the AFL, a new bill was introduced as a substitute. This bill provided for a simple 40-cents an hour and 40-hours a week standard for workers in non-unionized plants, to be enforced by the Department of Justice. Lewis and Hillman favored flexible standards to be set by a Board. The AFL bill was defeated 131–162. The House then took up the original Labor Committee version, which met the CIO goals. Green sent a telegram urging that the bill be recommitted, “in order that proper amendments could be made to the bill.” He particularly opposed the creation of a board: “Labor, industry and the public are fed up with boards.” In recounting the events of the day at the 1938 AFL convention, Green cast scorn on the CIO, which opposed recommitting the bill: “No matter how objectionable

a proposed wage and hour bill might be, the CIO favored it.”<sup>21</sup>

He also accused the President, in his support of an enforcement agency, of favoring the CIO.<sup>22</sup> With the recommittal vote pending, according to Secretary Perkins, “President Green of the AFL, although he had been privately apologetic for the position taken by some of his colleagues (against the bill), now threw the whole weight of his organization against the bill.”<sup>23</sup> After 5 days of contentious debate, highlighted by the passage of a number of weakening amendments removing certain industries from the bill, the House recommitted it on a 216–198 vote, with Speaker Bankhead and 29 of the petition signers voting to kill it.

### Final victory

When the third session of the 75<sup>th</sup> Congress met in January 1938, it was widely agreed that prospects for a wage-hour bill were much improved. Although the President had lost his court-packing initiative, the Supreme Court was already beginning to show signs of changing its attitude toward New Deal legislation. In his State of the Union message, President Roosevelt urged passage of a bill. Aware of lingering unfavorable views on the part of some of the AFL’s leaders, he pointed out that, “We are seeking, of course, only legislation to end starvation wages and intolerable hours; more desirable wages are and continue to be the product of collective bargaining.”<sup>24</sup> Following a conference in the White House, the governors of seven Southeastern States endorsed the principle of a wages and hours bill. And perhaps most incisive, a new Senator, Lister Hill, had won a primary in Alabama based on a platform of support for Roosevelt’s New Deal program.

For 2 months, from February to April, the House Labor Committee wrestled with two opposing concepts, a fixed universal standard—which Green indicated he still preferred—or the creation of a National Labor Standards Board which, within limits, could establish standards on an industry basis. A subcommittee first introduced a bill incorporating a wage board, which was opposed by both the AFL and the National Association of Manufacturers (NAM). According to Secretary Perkins, “For the first time in years, Congress was treated to the spectacle of the AFL and the NAM fighting cordially on the same side.”<sup>25</sup> The CIO, which supported a wage board, supported the bill. The version which eventually emerged from the full committee compromised the issues: the secretary of labor was authorized to impose a minimum, starting at 25 cents an hour, increasing 5 cents annually until it reached 40 cents, on an industry basis. Similarly, maximum hours were fixed at 44 weekly, to be reduced by 2 hours a year to the level of 40—again on an industry basis. Exempted were workers in agriculture, transportation, local retail stores and public employees. But an influential Labor Committee member, Robert Ramspek (D-GA) objected because the bill did not

provide for regional differentials.

Once again, the Rules Committee, influenced by Ramspek’s opposition, refused to pass a rule. Both Lewis and Green opposed Ramspek’s effort to win a provision providing for regional differentials, and both urged the Rules Committee to issue a rule. In a letter to Chairman Norton, President Roosevelt also urged that the House as a whole, “...should be given full and free opportunity to discuss (the bill)...I still hope that the House as a whole can vote on a wages and hours bill...”<sup>26</sup> And the mood of the House as a whole had changed. On May 6, 1938, less than 3 hours after a discharge petition—bringing the bill to the floor without a rule—had been laid on the Speaker’s desk, a majority of 218 members had signed it, jostling each other in an unusually boisterous atmosphere on the House floor.

House debate on the bill lasted 2 days (May 24 to 25). After disposing of 50 amendments, the House passed the bill by a 314–97 margin, with 256 Democrats, 46 Republicans, and 12 independents in favor; 56 Democrats and 41 Republicans opposed. After 9 days of effort, the conference committee reported out a compromise between the House and Senate bills. Standards were initially set at 25 cents an hour and 44 hours a week, with industry committees given the authority to recommend higher levels. A wage-hour administrator in the Department of Labor could only accept or reject such recommendations, not modify them. But the 40-cents minimum would go into effect in every industry by the end of 7 years, unless it could be demonstrated that it would result in unemployment. The bill set a minimum working age of 16 with a number of exceptions. Exempted were intrastate retail business, most transportation workers, farmworkers, Government employees, and a number of small businesses. Lower standards were allowed for apprentices, learners, and the handicapped.

President Green sent a telegram indicating that although the conference report “did not comply fully with the wishes of the AFL,” he did not oppose its passage.<sup>27</sup> On June 15, both houses approved the conference report; the House on a 290–89 vote, the Senate on a voice vote. And on June 28, 1938, President Roosevelt signed the bill.

### Postscript

The immediate labor reaction to the Fair Labor Standards Act was mixed. Secretary Perkins commented that “The AFL said it was their bill and their contribution. The CIO claimed full credit for its passage.”<sup>28</sup> At the 1938 CIO convention, a resolution hailed the passage of the bill “only after an intensive struggle by organized labor in the face of the most reactionary opposition.” It also pointed out that the labor movement must press for lower maximum hours if the law were to ameliorate unemployment.<sup>29</sup> But CIO president Lewis had lost interest and had turned the issue over to Sidney Hillman, whose low-paid mem-

bers in the highly competitive needle trades were among the most likely to benefit from the bill. Hillman was unequivocal in his approval: “The Bill is a sincere effort to raise the standard of living of underpaid and overworked labor and to remove the blot of child labor from American industrial life.”<sup>30</sup>

The AFL was less than enthusiastic. The Building Trades Department still opposed the injection of Government in the wage-setting process, and was considering whether to renew the struggle in Congress. At the 1938 AFL convention, president Green promised, “It is the intention of the Executive Council to seek amendments to the law as soon as the insufficiencies of some of its provisions have been shown.”<sup>31</sup> A pamphlet published by the AFL that same year said, “It is important to emphasize that the wage and hour law is far from perfect. . . . The undesirable provisions of the Act must and can be corrected in the future.” The pamphlet also urged AFL affiliates to make sure that wage rates set under the Act are “as high as all available facts can justify,” but “to secure through organization and collective bargaining labor standards higher than the minimum standards.”

But a year later, at the 1939 AFL convention, president Green

stated that “the initial year of its operation was notable for the extent of voluntary compliance with these standards by employers,” and that the FLSA should not be changed.<sup>32</sup> And indeed there had been major progress. By 1941, the Wage and Hour Division of the U.S. Department of Labor reported that wage orders had raised 700,000 workers above the 25-cent minimum and that additional orders were pending. By 1943, the Labor Department indicated that all workers would be covered by the 40-cent minimum that year—2 years before the deadline mandated by the law—and that the 69<sup>th</sup> and last industry committee had completed its work.

By 1944, as organized labor began to turn its attention to the problems caused by peace, the AFL vowed to guard against “any attempt to weaken by amendment, administrative rule or judicial decision the firm minimum standards established to date.”<sup>33</sup> Two years later, the AFL began its drive to raise the legal minimum wage to \$1 an hour. By early 1955, even before the AFL and CIO merger, a number of unions from both organizations had formed an alliance to raise the minimum. Labor’s doubts about the creation of statutory wage and hour standards had disappeared. □

## Notes

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<sup>1</sup> *Public Papers & Addresses of Franklin D. Roosevelt, 1938* (New York, NY, Macmillan Co., 1941), p. 404.

<sup>2</sup> M. B. Schnapper, *American Labor* (Washington, D.C., Public Affairs Press 1972), p. 83.

<sup>3</sup> Schnapper, *American Labor*, p. 250.

<sup>4</sup> *AFL Convention Proceedings*, 1913, p. 59.

<sup>5</sup> Philip Taft, *The AFL from the Death of Gompers to the Merger* (New York, NY, Harper & Bros., 1959), p. 277.

<sup>6</sup> Statements by William Green, published pamphlets from the AFL, 1931, 1932.

<sup>7</sup> Stephen Fraser, *Labor Will Rule: Sidney Hillman and the Rise of American Labor* (New York, NY, Free Press, 1991), p. 215.

<sup>8</sup> Statements by William Green, AFL pamphlets.

<sup>9</sup> AFL Convention Proceedings, 1935, p. 145.

<sup>10</sup> Ethel M. Johnson, “Minimum wage Legislation,” *American Federationist*, July 1936, p. 692.

<sup>11</sup> AFL Convention Proceedings, 1937, p. 501.

<sup>12</sup> Frances Perkins, *The Roosevelt I Knew* (New York, NY, Viking Press, 1946), p. 258.

<sup>13</sup> AFL Convention Proceedings, 1936, p. 466.

<sup>14</sup> Perkins, *The Roosevelt I Knew*, p. 258.

<sup>15</sup> “History of the Fair Labor Standards Act,” pamphlet (U.S. Department of Labor, Wage and Hour Division, December 1948).

<sup>16</sup> “History of the Fair Labor Standards Act.”

<sup>17</sup> *Public Papers and Addresses of Franklin D. Roosevelt, 1937*

<sup>18</sup> *Ibid.*, p. 497.

<sup>19</sup> *Ibid.*, pp. 319–20.

<sup>20</sup> *The New York Times*, Nov. 15, 1937, p. 10.

<sup>21</sup> AFL Convention Proceedings, 1938, p. 154.

<sup>22</sup> Grossman, “Fair Labor Standards Act of 1938,” pp. 22–30.

<sup>23</sup> Perkins, *The Roosevelt I Knew*, p. 260.

<sup>24</sup> *Public Papers and Addresses, 1938*, p. 6.

<sup>25</sup> Perkins, *The Roosevelt I Knew*, p. 262.

<sup>26</sup> *Public Papers and Addresses, 1938*, p. 333.

<sup>27</sup> AFL Convention Proceedings, 1938, p. 154.

<sup>28</sup> Perkins, *The Roosevelt I Knew*, p. 265.

<sup>29</sup> CIO Convention Proceedings, 1938, p. 74.

<sup>30</sup> *The New York Times*, June 15, 1938, p. 1.

<sup>31</sup> AFL Convention Proceedings, 1938, p. 155.

<sup>32</sup> *Ibid.*, p. 180.

<sup>33</sup> *Ibid.*, p. 158.