

in an annual meeting with an equal number of company officials. In addition, district meetings are held every four months for the camps in each of the five districts. At these conferences any matters which employees desire to have discussed can be brought up for consideration with representatives of the management. In each district there are four joint committees composed of equal numbers of employees and officials to consider: (1) safety and accidents; (2) sanitation, health, and housing; (3) recreation and education; (4) industrial cooperation and conciliation." The company maintains an Industrial Representative who is the active administrator of the Plan. A written "trade agreement" regarding working conditions and "fundamental rights" is part of the Plan.

How much influence does the Plan permit the employees to have on the matters which essentially concern them? The investigation shows "that the employees are not making use of the Plan for the presentation of grievances." There is a lack of responsibility on the part of the employees' representative which is "a fundamental defect in the plan as conceived and practiced." The officials of the company, only, have the right of final decision.

Determination of wages? It has been the custom of the company to accept the wage scale of its competitors as its own. This situation is a cause of discontent among the employees who reason that except for the efforts of the United Mine workers, increases which they have received would not have been granted. In 1921 the Company made a reduction of 30 per cent without reference to its competitors. A strike occurred in which the men joined and after that general strike was settled nationally, the company restored the 30 per cent and equalized its scale again with its competitors. As the company has no dealings with the union, the employees have no opportunity to express their views on the wage-scale.

Does the Plan prevent strikes? During the national strike of 1919, 62 per cent on the average stayed away from work in spite of the presence of the state militia. The strike against the 30 per cent reduction in 1921 led to a state of martial law at the mines from November 17, 1921, to January 28, 1922.

What about the question of unionism? "The freedom of the men to belong to the union had been assured by the plan, and for several years after the plan was introduced, the company gave entire freedom to union organizers to enter the camps. At the time of the strike of 1919 it appeared to the employees, and especially to the members of the union, that this policy was being reversed. The company denied that its activities in the strike of 1919 were a reversal of the policy adopted with the plan, and claimed that its action was determined by the fact that the Federal government had condemned the strike and had emphasized the necessity for uninterrupted production of coal.

"Unionism in the coal mines of Colorado has spent its energies in vain efforts to secure recognition. At that stage, facing the constant opposition of employers, a trade union becomes aggressive rather than constructive. The leaders are likely to be those who can stimulate antagonism to the company as a first step toward proving the need for a trade

union to protect the employees. Out of this kind of campaign develop endless petty causes of irritation between a company and the leaders of a union; and the employees share in these irritations. Behind all these petty occurrences is a fundamental fact—the existence of a national organization of the miners. Employees' representation is inevitably, therefore, a competitor of the union unless a modus vivendi can be agreed upon between the company and the union.

"The President's Second Industrial Conference, held in 1920, recognized in its report the importance of a shop committee to represent employees in settling questions affecting the relation of a company to its own employees; but it also declared that the existence of employees' representation does not necessarily reduce the scope of the union representative's work. The report also refers with approval to industries in which employees' representation and trade unions have been functioning harmoniously. Only through unions can workers have a voice in the settlement of questions in which their employer must be influenced by his competitors' standards. The scope of the representation plan as it now exists in the Colorado Fuel and Iron Company must be enlarged if it is to create satisfactory relations between its employees and its officials."

The employees "have no treasury and are represented only by their fellow employees, so that whatever is done in their interest comes, in the last analysis, through the voluntary action of the company."

What have the Committees done? "The conclusion is that abuses through compulsory buying in company stores are things of the past; that inevitable complaints against prices are dealt with promptly and frankly through the representation plan; that the old influence of the company in county and state politics, so much discussed in 1913, is no longer exercised; that life in the camps is happier and more healthful, and opportunities for schooling are greatly improved. But our examination of the procedure of the joint committees has shown that these changes are due, primarily, to the initiative of management. Employees are not given responsibility for decision."

What success has the Plan had in accomplishing the purposes of its originators? "The experiment which Mr. King planned and which Mr. Rockefeller has so often and so effectively interpreted to the public is as yet incomplete. Its fruits so far have been better living conditions and better relationships between managerial officials and miners. An 'industrial constitution' for the company or for the industry, or a partnership for labor, it has not yet become."

Why has the "industrial constitution" failed to function as expected? Any code or law, if effective, operates to change the habits and modes of action of individuals. It must be applied to specific situations with more or less compulsion. Laws are not self-interpreting or self-enforcing; hence the need of administrative machinery, a judiciary and executive in addition to legislation before any code can become a living and effective thing. Lacking these appurtenances, the Rockefeller code was like a beautiful automobile without an engine.

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