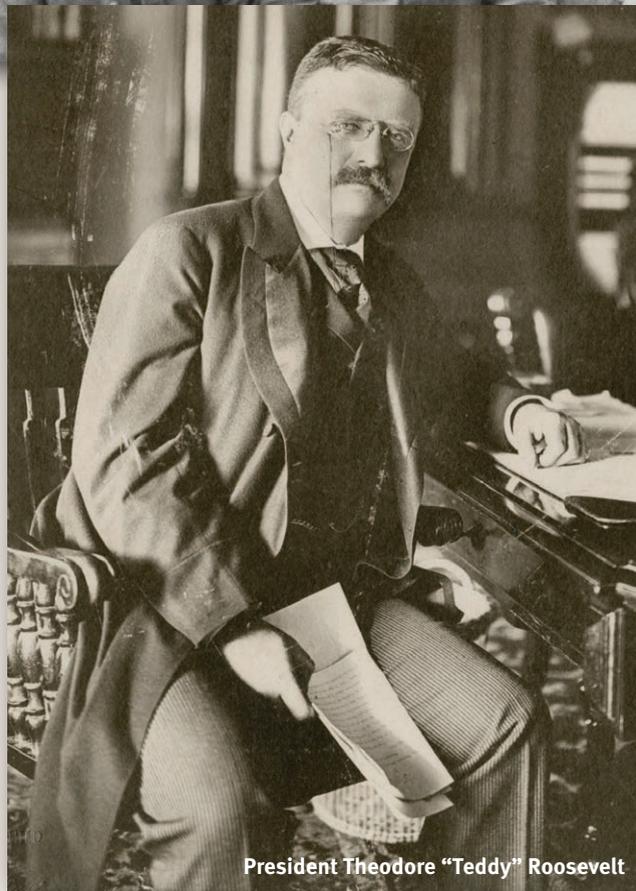
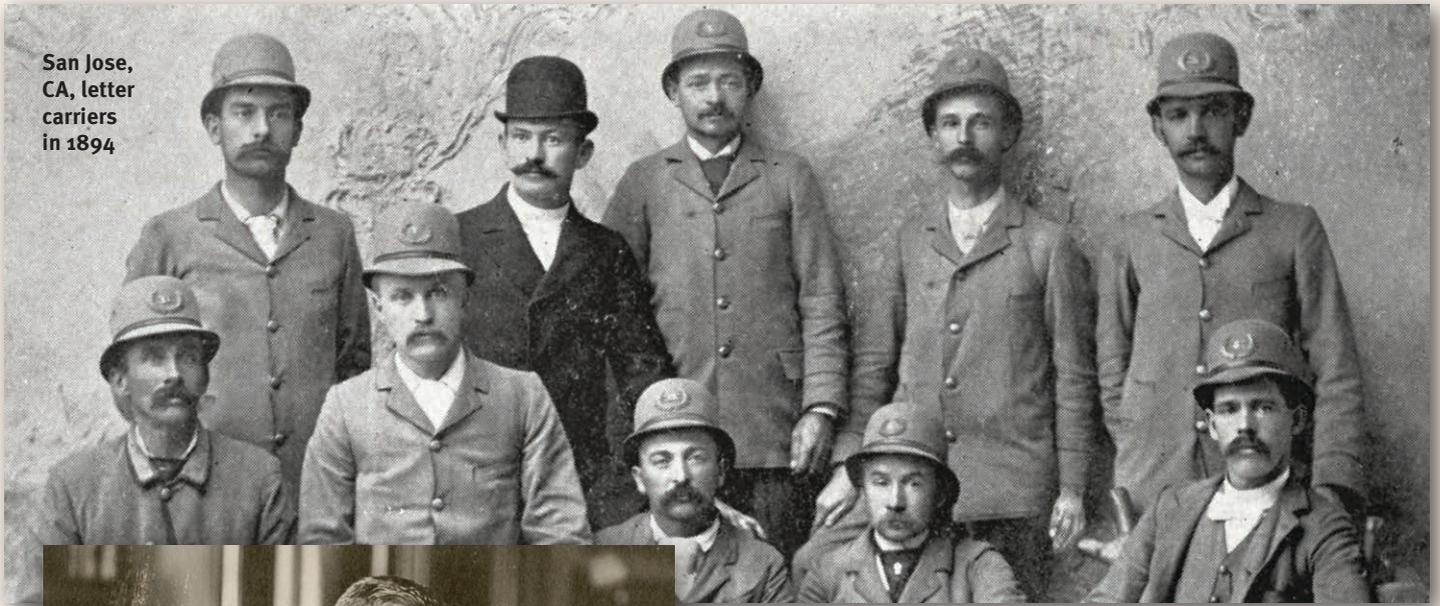


San Jose, CA, letter carriers in 1894



President Theodore "Teddy" Roosevelt

How a fight with President Teddy Roosevelt stripped letter carriers of their right to strike

Article 18 of the USPS-NALC National Agreement is devoted exclusively to the no-strike clause. The concise language puts it simply: Letter carriers and the National Association of Letter Carriers “will not call or sanction a strike or slowdown” against the Postal Service.

Many think that this rule emerged from the Great Postal Strike of 1970, when letter carriers in New York City began a wildcat strike that went nationwide and ultimately secured collective-

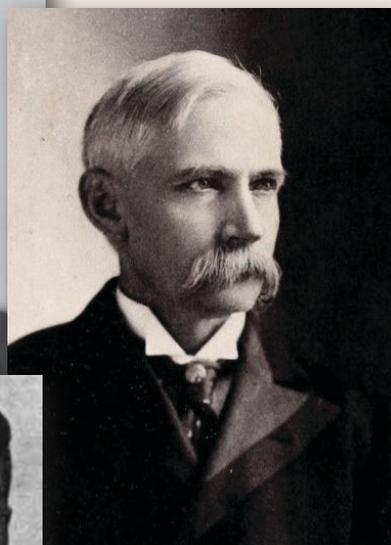
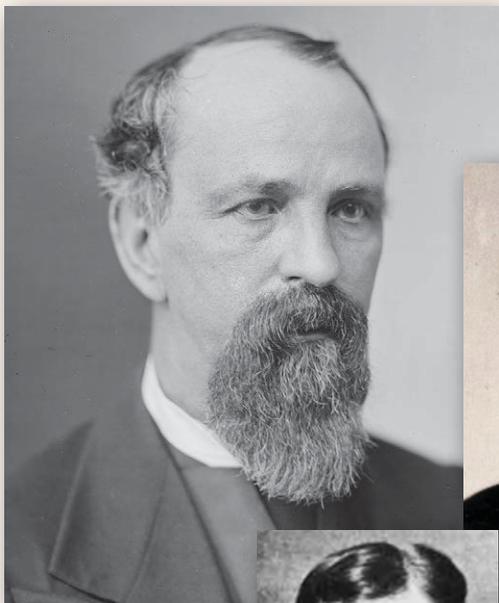
bargaining rights. Others, however, know that those strikers risked arrest for their decision to stand against the federal government, because the no-strike clause was based on a no-strike law that had been on the books for almost 60 years before the strike.

Indeed, what many are unaware of is that the no-strike law emerged after President Theodore “Teddy” Roosevelt got fed up with letter carriers and effectively told them to shut up.

Almost immediately, following the passage of a civil service reform bill

in 1883 (see “How an assassin’s bullet helped create the postal exam” in the November 2020 issue of *The Postal Record*), letter carriers strove to improve their working conditions. And there was a lot that needed improving. At the time, letter carriers were expected to work 365 days a year, including Sundays, for as many hours as they were told to work—and with no overtime pay. There was no health insurance, no pension and no opportunity to negotiate wages.

That was true for most working people at the time, and often the only



Top l: Rep. Samuel "Sunset" Cox
Above: Postmaster General William Wilson
Left: NALC President James Keller

way private-sector workers could improve their working conditions was to join a union and—usually through work slowdowns or strikes—attempt

to force the hand of their employers. While some strikes were successful, some were brutally suppressed.

Letter carriers' first collective effort was to obtain leave. Managers at the Post Office Department in Washington, DC, got 30 days of vacation leave per year, which was 30 days more than letter carriers received. Letter carriers petitioned the Post Office Department for comparable leave but were turned away and told that no law existed under which letter carriers could be allowed any vacation days whatsoever.

So, letter carriers decided to rectify that. They found a champion in New York Rep. Samuel "Sunset" Cox, who was able to persuade his fellow members of Congress in 1884 to pass legislation giving all letter carriers 15 days of vacation, with pay, every year.

Flush with victory, letter carriers moved on to the next struggle, joining the national movement for an eight-hour workday. While the entire nation was up in arms, striking and protesting over the issue, employers successfully halted the effort for a universal eight-hour law.

But letter carriers were getting adept at lobbying Congress, which passed an eight-hour day law specifically for letter

carriers, despite the strong objections of the Post Office Department (see "The eight-hour day: How letter carriers' fight led to a Supreme Court victory and legitimized the newly formed National Association of Letter Carriers" in the March 2021 issue of *The Postal Record*.)

After the National Association of Letter Carriers (NALC) was organized in 1889, letter carriers continued to use their lobbying clout to further their causes in Congress, much to the consternation of the Post Office Department. Management was further troubled the following year when another postal union—the National Association of Postal Clerks—was organized.

By 1895, Postmaster General William Wilson had had enough of postal employee lobbying. He issued an order forbidding postal workers from coming to Washington for the "purpose of influencing legislation before Congress."

Letter carriers and other postal employees ignored the directive and lobbied vigorously—and successfully—for pay increases and other legislation. By 1902, the postmaster general's boss—the president of the United States—decided to step in and put a gag on the postal employees.

President Teddy Roosevelt issued an executive order on Jan. 31, 1902, forbidding all postal and federal employees, "directly or indirectly, individually or through associations," from soliciting members of Congress for wage increases or from trying to influence the passage of any other legislation—except through the heads of their department.

NALC President James Keller personally pleaded the letter carriers' case to Roosevelt, but the president was unmoved. The gag order stayed in effect. But while the executive order said that letter carriers couldn't lobby their representatives, it didn't say anything about the women in their lives.

Responding to an organizing call from Portland, OR Branch 82's Ladies Auxiliary, 72 women from 52 cities in 26 states met on Sept. 5, 1905, during NALC's fifth national convention in Portland, to form a National Ladies Auxiliary, the forerunner of today's NALC Auxiliary. They unanimously elected as the organization's first president Nellie Heffelfinger, a member of Branch 24's auxiliary in Los Angeles.

Their goal, Heffelfinger said, was to "aid wherever possible the carriers, both socially and financially." Four days later, NALC's delegates formally recognized its new partner during the union's convention. The Auxiliary picked up the lobbying slack for the letter carriers.

Other postal workers were looking for organized support outside of the Post Office as well. In 1906, the nascent American Federation of Labor granted a charter to the National Federation of Post Office Clerks. The A.F. of L. demanded the restoration of civil rights of federal employees and the alleviation of unfavorable working conditions and inadequate pay.



Far l: President William Howard Taft
L: Sen. Robert LaFollette
Below: NALC President William E. Kelly

In response, Roosevelt raised the stakes by issuing another executive order, this one permitting department heads to dismiss employees without notice and—contrary to previous practices—without stating the reasons in writing.

Meanwhile, NALC continued its lobbying of Congress through the Auxiliary and through the informal and private efforts of letter carriers, obtaining a modest pay increase from Congress in 1907.

In 1909, Roosevelt's successor, President William Howard Taft, forbade postal and federal employees from answering congressional requests for information on their pay or working conditions unless authorized to do so by their department heads.

Behind this wall of silence, the Post Office Department took advantage, forcing employees to work longer and harder without any increase in pay or benefits. Working conditions deteriorated and the morale of postal employees plummeted. Militant factions arose in the ranks of postal workers, especially the railway postal clerks.

Having lost the one advantage they had over their private-sector counterparts, postal workers turned to the tools of those of the private-sector unionists with unrest, defiance of orders, work stoppages and threats of formal strikes erupting throughout the service.

Despite the department's efforts to prevent it, the complaints of workers—including letter carriers—reached Congress. In 1910, Democrats wrested control of the House of Representatives from Roosevelt and Taft's conservative Republican allies, and in the Senate, control had split among Democrats, progressive Republicans and conserva-

tive Republicans. Sen. Robert LaFollette, a progressive Republican from Wisconsin, called for hearings about the working conditions and gag orders.

NALC President William E. Kelly urged passage of anti-gag legislation before the Senate Committee on Post Offices and Post Roads, and Samuel Gompers, president of the A.F. of L., actively supported removal of the gags.

President Taft defended the gag rule in 1911 by asserting that government employees should be held to different standards:

Government employees are a privileged class upon whose entry into government service it is entirely reasonable to impose conditions that should not and ought not be imposed upon those who serve private employers.

Congress was unmoved. LaFollette and Rep. James Lloyd, a Democrat from Missouri, led the effort to pass the bill in both houses of Congress. On Aug. 24, 1912, the Lloyd-LaFollette Act was enacted, rescinding the gag rule and ending 10 years of severe repression of letter carriers and other government workers.

Besides outlawing the gag rule and guaranteeing government workers the right to petition and lobby Congress, the Lloyd-LaFollette Act recognized the right of postal and federal employees to organize and join labor organizations.

And yet, the very means by which postal workers had worked to regain

their rights were used against them. Some members of Congress feared the influence of the A.F. of L. and suggested that if postal workers belonged to the

labor federation, they could be compelled to strike against the government itself. And so, at the last moment, an amendment was added forbidding postal employees from affiliating with any outside organization that imposed "an obligation or duty...to engage in any strike against the United States" or that proposed to assist postal employees in such a strike.

The 1912 legislation would remain the most important piece of legislation affecting the rights of letter carriers and the NALC for a half-century—until 1962, when President John F. Kennedy issued Executive Order 10988, which established a formal labor relations program in the federal government.

The no-strike law has been on the books for the past 111 years, and postal employees have been arrested for work slowdowns and stoppages in the years since, including two letter carriers who were arrested in 1969, less than a year before the Great Postal Strike.

Nowadays, NALC can lobby Congress on letter carriers' behalf, while collective bargaining forces USPS to engage in meaningful negotiations of letter carriers' pay and benefits. But it took decades of struggle and effort for letter carriers to win these rights—including an illegal wildcat strike in 1970. And long before that, it also took letter carriers standing up to two U.S. presidents and refusing to have their voices gagged. **PR**