



The eight-hour day

How letter carriers' fight led to a Supreme Court victory and legitimized the newly formed National Association of Letter Carriers



Above: Two carriers begin their routes in the late 1800s.

Top: The Old Senate Chamber in the U.S. Capitol served as the headquarters for the Supreme Court until the 1930s.

Soon after the Civil War, as the nation was industrializing, workers began to organize and fight for their rights. One of the earliest battles was over the eight-hour day. At the time, it was common for laborers to work six days a week for 10 to 16 hours a day with no overtime pay.

As other groups successfully negotiated for the change, such as ship carpenters in Boston, the federal government passed an eight-hour law in 1868 for federal “laborers, workmen and mechanics.” The Post Office Department, arguing that its employees did not fit the description, refused to comply.

Frustrated in their attempts to force the Department to reverse itself, angry letter carriers in the 1880s in cities of varying sizes, including New York, Chicago, Omaha and Buffalo, turned for help to the Noble Order of the Knights of Labor, the leading labor organization of the time. Letter carriers formed local Knights of Labor assemblies and many became leaders within the organization.

By the mid-1880s, the Knights were at the peak of their power and the entire nation was up in arms over the eight-hour day. Workers were striking and protesting. Employers were

fighting back with a vengeance, intent on smashing both the Knights and the movement.

Like private employers, postal management also vigorously opposed the movement. And when an eight-hour bill for letter carriers, drafted by the Knights of Labor, was introduced in Congress in 1886, the Department harassed any and all active supporters. Some carriers who led the campaign were fired for minor infractions of work rules. Others were transferred to less-desirable routes, assigned routes far from their homes, given extra duties or ordered to take vacations with no advance warning.

It took decades for the general movement for an eight-hour day to accomplish its goal, with some industries adopting it and others resisting it, and the change became widespread only after the passage of the Fair Labor Standards Act of 1937. The Depression-era law created time-and-a-half overtime pay as a way to encourage employers to hire more employees for 40 hours, rather than fewer for 60 or more.

But one group of workers that had an early victory was the nation’s letter carriers. Using the lobbying influence of their local associations—there was no national union at the time—

particularly those in New York and Philadelphia, letter carriers convinced Congress to override the Department's strong opposition. Lawmakers passed the Knights' eight-hour bill for carriers in 1888. This victory was jubilantly celebrated on July 4 of that year by a massive parade of letter carriers from Connecticut, Massachusetts, Maryland, New Jersey, New York, Pennsylvania and Washington, DC, through the streets of New York City.

For letter carriers, who at that time were working at least 10 to 12 hours a day, seven days a week, with no overtime pay, the enactment of the eight-hour bill was an impressive and long-overdue victory. But it also was a short-lived one.

The Post Office Department, extremely unhappy with the passage of the eight-hour law for carriers, openly ignored it for several months. Then the Department adopted a policy of deliberate evasion: It reinterpreted "eight hours a day" to mean eight hours a day for seven days a week—or 56 hours a week. For example, letter carriers who worked nine hours a day for six days still owed the Department two hours of work on Sunday. This deliberate misreading of the law was enforced throughout the country.

That's when the National Association of Letter Carriers entered the picture.

Letter carriers had tried to organize a national union at least three times, but each attempt failed, in part due to the expense of regularly convening enough carriers to sustain a national organization. In 1889, the Milwaukee Letter Carriers Association decided to time its call for another national meeting of carriers to coincide with the annual reunion of the Grand Army



of the Republic—an organization of Union Army veterans—so that letter carriers who were veterans could take advantage of reduced train fares.

Ironically, the 60 carriers who answered Milwaukee's convention call—48 accredited delegates and at least 12 other participants—were not from the large cities such as Philadelphia and New York that had worked so hard for the passage of the eight-hour law, but primarily from small and mid-sized cities. When August Dahlman of Milwaukee called the convention to order on Thursday, Aug. 29, 1889, in the meeting hall above Schaefer's Saloon at 244 West Water St., delegates moved quickly, unanimously adopting a resolution to form a National Association of Letter Carriers. The next day, they elected William Wood of Detroit as the first president and appointed an Executive Board to coordinate all legislative efforts.

The Post Office Department was shocked when it found out that the carriers had organized a union. Resistance followed the shock almost immediately. For example, in St. Louis, as in some other cities, all leaders of the local branch were summarily dismissed and the branch temporarily disbanded. In some communities, members of the union were forced to work eight hours on and off over a 24-hour period. In other communities, union supporters were given the least-desirable routes.

The initial response of many carriers when they heard that a national association had been organized also was one of resistance, coupled with suspi-



NALC was organized above Schaefer's Saloon in Milwaukee (top) in 1889. William Wood (above r) served as the first president. At that first meeting, the members adopted a union logo (above l) that was turned into a gold badge. The badge was designed to help letter carriers—as union members and as skilled workers—identify one another.



Above: The 1893 Supreme Court that decided the case in favor of NALC.

Below: A newspaper article in the March 14, 1893, *Indianapolis Journal* about the case

The Supreme Court also affirmed the judgment of the Court of Claims in favor of the letter carriers in the cases of Aaron S. Post and Frank Gates against the United States. These cases arose under the act prescribing eight hours as a day's work for the two carriers. It was contended by the letter carriers that the Postoffice Department in construing that act had violated its intent and purpose, and was requiring more labor from them than was contemplated. In the Gates case the question was whether or not the eight-hour provision as applied to letter carriers meant an average of eight hours a day for a month, the department holding that any deficit in eight hours on Sundays or other days could be set off against an excess over eight hours on other days. The court rules that this cannot be done, and that the carriers are entitled to extra pay for any overtime or any single day. In the Post case the position taken by the United States was that the eight hours should consist of time employed in the actual distribution and collection of mail and that the carriers could not recover extra pay for other service within the postoffice performed by them in connection with duties imposed on them by the postmaster. The court holds that this position is untenable and that the carriers are entitled to extra pay for over eight hours work under such circumstances. Justice Brown rendered the decision.

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cion. Generally speaking, carriers from the big cities had not taken part in the first, historic meeting in Milwaukee, as noted, and so they were unsure of how to respond to the so-called “national association.” Initially, they remained apart, sending their own representatives to the nation’s capital to lobby for legislation.

Eventually, NALC and the larger cities’ carriers worked out their differences, but membership remained low throughout the country. Despite that, the newly formed NALC knew that it had to work for the betterment of letter carriers, and so it responded swiftly and forcefully by suing the federal government over the Post Office Department’s interpretation of the eight-hour law.

NALC brought the lawsuit on behalf of two carriers: Frank Gates and Aaron S. Post. Through appeals by the Post Office, the case reached the Supreme Court, which ruled on it in 1893.

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The Supreme Court ruled that the Post Office Department had been wrong to interpret the law in that way.

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Finding for the letter carriers in both parts of the case, the Supreme Court awarded letter carriers with cases similar to Gates and Post a total of \$3.5 million, settling thousands of overtime claims against the Department. That would be more than \$100 million today when adjusted for inflation.

This first successful battle with the Post Office Department helped consolidate the new labor organization. Letter carriers formerly indifferent to NALC or afraid to join because of management reprisals flocked to the union in great numbers.

With this first victory under its belt—only four years after the union’s founding—NALC had cemented its reputation as a fearless and successful advocate for its members. For more than a century and a quarter—and still counting—the union has continued to fight for the rights of letter carriers. **PR**