
FROM JOBS TO POWER

The United Construction Workers Association and Title VII Community Organizing in the 1970s

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“We don’t just want the jobs,” Tyree Scott, the leader of the United Construction Workers Association (UCWA), announced in June 1972 to a group of one hundred black construction workers and their allies in Seattle, Washington. “We want some control over them.”¹

Scott’s announcement, borne of two years of frustration with the way that on-the-job resistance had undermined affirmative action, marked a dramatic shift in the Seattle campaign for community control of the construction industry. It had been three years since Scott had led direct action protests in Seattle that inspired the U.S. Department of Justice to file suit against the four elite Seattle building trades unions. In 1970, federal Judge William Lindberg found the racially exclusive union hiring halls and apprenticeship programs in violation of Title VII of the 1964 Civil Rights Act. Because previous attempts to negotiate voluntary affirmative action had failed, Lindberg ordered the unions to desegregate through an ambitious affirmative action plan to train a total of roughly one hundred black “special apprentices” per year.² But during 1970–1972, the Seattle construction industry failed to meet the court-ordered affirmative action goals, and their noncompliance went largely unpunished. The unions and employers blamed the terrible economy, complaining that the region’s affirmative action goals and timetables had not changed to reflect the recession in the construction industry. The UCWA, formed in 1970 to represent black workers who entered the Seattle construction industry under the court order, had a different explanation. It questioned the very structure of affirmative action plans that relied on white journeymen and employers to train people whose presence on the job they

deeply resented. The original sin of affirmative action, the UCWA argued, was that it put racists in control of the desegregation process. Or, as Tyree Scott put it, “you can’t leave those who created the problem in charge of the solution.”³

The UCWA responded to the failure by the unions and employers to comply with the court order by demanding that black workers be made the subjects and not merely the objects of antidiscrimination law. It issued its demands through a series of direct action protests that brought to a halt construction on \$50 million in private and government construction projects in the Seattle area during the first week of June 1972. The UCWA partly sought to redeem the integrity of the law by demanding the immediate hiring of black apprentices and the active enforcement of the original affirmative action goals of the court. But, more important, the UCWA demanded to join the lawsuit and be granted traditional union and employer powers to screen, hire, and dispatch black apprentices. Scott explained the UCWA position to Judge Lindberg, stating that the UCWA would not allow work to continue until the court granted black workers “control and self-determination.”⁴ The judge, Scott later explained to supporters, “thinks we want to integrate and become white. We’ve changed our minds and want integration with recognition that we are different. We want to control our own destiny.”⁵

The UCWA shift from demanding jobs to seeking power represented a radical response to the failure of the Philadelphia Plan approach to affirmative action. President Nixon’s defunding of War on Poverty employment programs and his slashing of federal construction spending had eliminated many of the jobs that black radicals thought would be made available to them. As a result, both government imposed and voluntary affirmative action plans pitted white and black workers against one another for increasingly scarce jobs. The economic cost of compliance with the federal plans increased dramatically as unemployment in the construction industry skyrocketed. Meanwhile, the economic cost of non-compliance decreased as building trades unions successfully convinced President Nixon to promote “voluntary” affirmative action plans, hollowing out the enforcement of fair employment law by the Department of Labor (see Griffey, chap. 6 in this volume).

The lack of political will by the federal government to enforce the goals and timetables of affirmative action plans forced the largely ad hoc Black Power campaigns of the late 1960s to reinvent themselves. Because many movements to desegregate the building trades in the 1960s were led by people who lacked experience in the construction industry and spoke for black workers without including them, they were often ill-equipped to monitor the implementation of affirmative action plans. Some were compromised by the role they were given administering weak plans; others struggled to adapt to the early failures

of affirmative action. In many cities, to the degree that affirmative action in the construction industry persisted at all, it was largely through pre-apprenticeship programs (sponsored primarily by the Urban League and funded by the Department of Labor) that left the unions in control of apprenticeship and dispatch programs. Pre-apprenticeship programs increased the visibility of the Urban League in promoting affirmative action, but they did so at the cost of emphasizing social service over community organizing and emphasizing individual black self-help over collective action. They were institutions that operated on the premise that unions and employers would implement affirmative action plans in good faith, when often they did not.⁶

In a few cities, black construction worker organizations evolved in the early 1970s to challenge the inability of pre-apprenticeship programs to enforce affirmative action requirements, and to challenge the ongoing control that unions retained over their apprenticeship programs and hiring halls. The three most sophisticated black construction worker organizations to emerge in the 1970s as watchdogs of government affirmative action plans were the UCWA in Seattle, Harlem Fight Back in New York, and the United Community Construction Workers (UCCW) in Boston. As community organizations, they represented predominantly black inner-city residents who demanded jobs and urban reconstruction during an era of federal abandonment, white flight, and deindustrialization. As worker organizations, they promoted a community-centered labor politics that connected minority caucuses within the unions to broader social-movement organizing. By using fair employment law and affirmative action plans to organize for political and economic power, they produced and occupied a hybrid political space between labor unions and social service agencies. Their contribution to black urban politics in the 1970s helped translate Black Power at work into community-controlled hiring halls and apprenticeship programs for inner-city residents. These campaigns were part of a broader movement that transformed the black community control campaigns of the 1960s into community-based minority worker organizations and “poor workers’ unions” during the 1970s.⁷

This chapter presents the history of the UCWA as a case study for understanding the origins, organizational structure, and legacy of black construction worker radicalism in the 1970s. (Similar histories still need to be written about Harlem Fight Back and UCCW.) It describes a form of labor radicalism forged through the “hellfire of hostility” that black workers faced in the workplace when they entered the construction industry via affirmative action.⁸

The history of the UCWA provides an opportunity to extend the civil rights movement history well into the 1970s instead of portraying the era as one of mere cooptation and declension. The UCWA organizing model gave organizational voice and political power to minority workers entering hostile workplaces

through affirmative action plans. It used class action Title VII lawsuits to organize an affected class of minority workers into community-based labor organizations that could oversee the implementation of court-ordered affirmative action plans. The UCWA then used this model to organize Filipino cannery workers in Alaska; black construction workers in Denver and Portland; black truck drivers in Oakland; and the Southwest Workers Federation, an eight-city black worker organization in southern cities largely untouched by the economic gains produced by the black freedom movement.

The UCWA's insistence that minority workers oversee the implementation of affirmative action presented a direct challenge to the trend that has received more attention from civil rights movement historians: the emergence of middle-class professions, inside and outside government, to manage the enforcement of civil rights laws passed in the 1960s and early 1970s. Title VII of the 1964 Civil Rights Act outlawed both racial and gender discrimination in hiring by employers and unions, but it did not explicitly describe the process for desegregation for those found guilty of violating the law. As National Association for the Advancement of Colored People (NAACP) Labor Director Herbert Hill pointed out during the 1960s, "Title VII is not self-enforcing." It offered a legal sanction for workers to challenge discrimination on the job, but provided little guidance for whether and how the government would support worker claims. For middle-class bureaucrats who fought over how to enforce the law, the 1970s may have been an era "when the marching stopped" and black politics shifted from the streets to the state, "from protest to politics," or "*From Direct Action to Affirmative Action.*" But many workplace pioneers had a different experience, and the history of the UCWA shows that new black worker organizations emerged and direct action protests persisted as part of workplace battles for both power and inclusion in the 1970s.⁹

Workplace Culture as a Site of Resistance to Affirmative Action

The refusal by the Seattle building trades unions to negotiate even token affirmative action plans provided the crucial context in which the UCWA created its innovative community-organizing model. As documented throughout this volume, the exclusionary practices of the building trades unions blended with the politics of whiteness to deny union membership to nonwhite workers through informal means. Unions then refused to dispatch or apprentice nonwhite workers, ostensibly because they were not union members.

In Seattle, as early as 1949, after local building trades had largely jettisoned their most explicitly racist membership policies, the Seattle Urban League

records detail “numerous reports of Negroes and other minority people who had not been admitted into building unions that were members of the Building Trade Council.” Letters to the council, however, were ignored, and meetings with council leaders produced no changes in apprenticeship hiring practices.¹⁰

The unions acknowledged that they had been openly racist before the 1950s, but were hard-pressed to explain why segregation persisted for decades afterward. By 1969, only 29 of the 14,821 members of the Seattle building trades were nonwhite. The most pervasive discrimination occurred in Ironworkers, Local 86. In 1969, the Washington State Board Against Discrimination found that “except for a rodman who worked for a day or two in 1939 no person who was clearly a Negro has ever been a member of or been referred by the Union to employment.” With “300 to 400 Negroes working as welders in Seattle manufacturing plants, shipyards, and even in construction work as sheetmetal workers,” the Local 86 discrimination appeared blatant even to outsiders.¹¹

To insiders, the racism within Local 86 was an open secret. Donald Kelly, a white apprentice in Local 86, recalled that his apprenticeship coordinator reportedly told him, “we have no Negro apprentices, and we will never have no Negro apprentices.... When they file their application—we have a stack of applications. We will just keep pulling from the bottom just constantly.” Kelly later goaded the Local 86 business agent into telling him, “No black son-of-a-bitch bastard will ever work out of this union as long as I am business agent.” When Kelly challenged him by saying that blacks’ entry into the trade was “inevitable,” the business agent elaborated: “if they force me into it, I will take one of the black sons-of-bitches, and if I put him out on a beam at two or three hundred feet in the air, either he will walk it or he will fall off.” Kelly was later kicked out of the apprenticeship program and told that he “was not fit to be an Iron Worker” because he was a “hippie.” After first coming forward in 1967 with stories of union racism he had witnessed, Kelly “got the hell beat out of me” by people he had never seen before. During the melee, his assailants accused him of being “a nigger lover” and “the one who is trying to bring the black bastards in the iron workers.”¹²

The discrimination practiced by Local 86 was hardly unique. Federal Bureau of Investigation (FBI) interviews of black workers and white union leaders in Seattle conducted in late 1969 and early 1970 document how International Brotherhood of Electrical Workers (IBEW) Local 46, Operating Engineers Local 302, Sheet Metal Workers Local 99, and Plumbers and Pipefitters Local 32 all used control of their hiring halls and apprenticeship programs in racially exclusive ways. White workers with personal connections to union contractors or union leaders found it easy to receive dispatch or entry into apprenticeship programs even if they had no previous experience. But experienced black workers (from the Seattle shipyards and from the aerospace industry, from the military, and from War on Poverty job-training programs) faced an altogether different

process. If they were told about an out-of-work list at all, they were often put on a separate list so that the union could appear to be in compliance with the law. Many sat all day in hiring halls wondering why their names were not being called until finally they gave up and went back to industrial jobs. When Junior Lee, who had learned to drive heavy trucks in a federal Job Corps program, applied for dispatch from Operating Engineers Local 302, he was told that the only job available was over a hundred miles away in Yakima. When Lee said he was willing to find his own transportation out to the job, the dispatcher, according to Lee, “didn’t refer me to a job. He asked me, ‘Have you ever operated a yo-yo?’ I says, ‘No.’ He says, ‘Have you ever seen one?’ I says, ‘Yes.’ That was that.”¹³

When black workers applied for work directly to employers, going around the union hiring halls, employers were still bound to hire only workers referred by a union hiring hall dispatcher. This, in turn, gave unions far more control over hiring than they usually acknowledged. When Robert Lucas, the white owner of Lewis Refrigeration, called Local 32 in 1963 and specifically asked for a black plumber to be dispatched to his job, the dispatcher reportedly laughed and said “I can just picture my wife going to the back door and seeing a big black man there and he says ‘I came to fix your refrigerator.’” After about a year of trying to hire a black worker, Lucas finally gave up.¹⁴

From 1965 to 1968, leaders from various local War on Poverty agencies, the Urban League, the NAACP, and the Congress of Racial Equality all sought, but failed, to negotiate voluntary outreach and recruitment plans to desegregate the Seattle-area building trades unions. When the State Board Against Discrimination ruled in March 1969 that Local 86 had refused to accept a welder who had passed as white into its membership after he told his coworkers that he was black, the mainstream civil rights movement in Seattle publicly broke with the labor movement over building trades union discrimination and began seeking ways to hire non-union black workers on War on Poverty construction projects. Faced with the absolute refusal by unions to admit black workers or apprentices to their ranks, a coalition of civil rights organizations complained in March, 1969 to the American Federation of Labor–Congress of Industrial Organizations (AFL-CIO) that Austin St. Laurent, head of the Seattle–King County Building and Construction Trades Council, was a “bigoted racist. . . . Every proposition, every plan, every program designed to assist minority youth into apprenticeship in the trades has been rebuked, opposed and stymied by him.” Meanwhile, St. Laurent refused to acknowledge racial bias within the labor movement and remained convinced that affirmative action was a scam for contractors to use civil rights groups to “break the back of the building trades unions.”¹⁵

This was the context in which Tyree Scott, a black electrician and head of a black contractors association seeking to gain access to Model Cities construction

projects in Seattle, finally got fed up with trying to figure out how to hire black workers without running afoul of the unions. Inspired by similar protests in Chicago, Philadelphia, and Pittsburgh, Scott led a series of direct-action protests against building trades union racism during late August and early September 1969. The protests—which made decades of private grievances public—culminated when Black Power activists drove trucks into open pits at the University of Washington and briefly shut down air traffic at Sea-Tac Airport by marching on to the tarmac. These actions, which local media observers considered “riots,” inspired fear and immediate conciliation by local government officials and contractors.¹⁶

The unions were much less swayed by the Black Power protests, however. If union leaders showed up to negotiations during the job closures, it was usually to protest the negotiations as violations of their collective bargaining agreements. When employers and government officials created a unilateral affirmative action plan to stop the protests and black workers began to appear on government construction projects in early September 1969, union members went on strike. When the courts forced union members back to work, they took to the streets. Austin St. Laurent organized the ad hoc Voice of Irate Construction Employees (VOICE) in early October 1969. Through it, he staged two marches of thousands of workers against King County Executive John Spellman and Washington Governor Dan Evans (both of them Republicans) for participating in negotiations with freedom movement activists. The VOICE marches were similar to the raucous construction worker counterdemonstrations seen in August and September 1969 in cities such as Philadelphia, Pittsburgh, and Chicago. In Seattle, they were led by men wearing hard hats and carrying U.S. flags and signs filled with righteous anger about “reverse discrimination,” including a prominent one that read “Equal Rights for Whites.”¹⁷

The hostility of the Seattle-area unions to the Philadelphia Plan was so absolute that it brought a higher level of federal intervention in Seattle politics than in most other cities. When the U.S. Department of Labor briefly investigated the issue in Seattle at the request of Governor Evans, it “concluded that a voluntary agreement was unlikely to be obtained” because of the refusal of the unions to compromise, so it “referred the matter to the Department of Justice.” On October 31, 1969, the U.S. Department of Justice announced that it would file a lawsuit—*U.S. v. Local 86*—against the elite five of the Seattle Building Trades unions for systematically denying black workers entry into union and apprenticeship programs.¹⁸

Even then, union resistance ensured that the case went to trial and was not settled. After six months of fruitless negotiations to bring the trades not named in the lawsuit into compliance with new federal affirmative action guidelines, both Seattle-area unions and contractors announced that they would implement

their own affirmative action plans. The unions promised training but did not promise to dispatch workers to jobs, and the contractors promised to hire new black workers only if the government would pay for it. Both sides claimed to be in compliance with the law, but the Department of Labor refused to fund either plan because voluntary affirmative action required a consensus of all parties.

Although successfully marginalizing the civil rights activists and holding the Department of Labor and contractors at bay, the failure of the unions to negotiate a voluntary affirmative action plan with contractors and civil rights activists had the opposite effect of what unions intended. Judge Lindberg might have deferred to a tripartite hometown plan as sufficient redress for past discrimination if he had found the unions guilty. But without such a plan, unions appeared to be operating in bad faith, and this invited more substantial forms of intervention. Believing affirmative action to be unconstitutional, they refused to settle the lawsuit, despite most observers believing that the Philadelphia Plan had changed the political landscape.¹⁹

The force that courts brought to bear on the Seattle building trades unions thus ended up being far beyond anything that would have come from the Department of Labor. Judge Lindberg, a Democrat from the New Deal era who had served as the secretary of the Washington State Senate in 1933 and had been appointed to the federal judiciary by President Harry Truman in 1951, heard *U.S. v Ironworkers, Local 86* a year before he retired. He issued his affirmative action decrees on June 16, 1970. The relief that Lindberg prescribed in the case was, according to William Gould, a fair employment attorney, “at the time of its issuance... more comprehensive and detailed than that set forth by any other judge in any employment discrimination case in the United States.” Lindberg called for the immediate hiring of forty-one black workers whose individual experiences the prosecution had used to prove a pattern of racial discrimination in the four trades. In addition, he ordered the creation of a special apprentice program with fewer restrictions to fast-track black workers into journeymen status in two years instead of the regular four; loosened the age and education requirements for incoming apprentices; and set 1:4 minimum ratios of black apprentices to white journeymen at job sites and in training programs. Finally, to rearrange labor relations within an industry that employed tens of thousands of people, Lindberg created the Court Order Advisory Committee (COAC), a quasi-governmental institution, directly accountable to him, to bring all parties together to enforce his order.²⁰

Putting Unions in Charge of Their Desegregation

Because their long-standing resistance to affirmative action had played a significant role in the Seattle building trades unions' being placed under court order, it

would have been surprising if they had *not* resisted Lindberg's affirmative action plan. But Lindberg's order, modeled on other 1960s-era government manpower programs, did not take the possibility of such resistance into account. Instead, it focused its attention on breaking down the barriers to work without considering the relationship between exclusive hiring practices and social hierarchies on the job.

The intellectual foundation for these manpower programs—which came from industrial relations literature pioneered by business economists and lawyers—relied on social psychology that treated the racially exclusive workplace as normative and the excluded worker as deficient in human capital and in need of remedial support to be successfully integrated into skilled trades.²¹ Affirmative action programs based on these well-meaning studies left union journeymen in charge of the construction workplace, thereby granting them substantial power over desegregation. Affirmative action, in this context, meant forcing unions to dispatch black workers to jobs and union journeymen to train black workers in their trade without explaining exactly what union members' good-faith participation in affirmative action would entail.

The difference between good faith and resistance was especially difficult to establish in the largely informal workplace environment of the construction industry. According to a study of the construction industry in the early 1970s by Jacob Riemer, a sociologist and construction worker, construction work is inherently difficult to monitor because it uses a variety of specialized trades whose skilled craftsmen are spread across a construction site. This made “a tight organizational structure difficult to achieve and in many respects impractical.” Instead, high-skilled craftsmen worked with relative autonomy on job sites and coordinated their activities through a distinct masculine subculture that was as social as it was professional and whose mores were often at odds with bureaucratic and bourgeois norms. The physical and dangerous nature of the work was frequently linked to demonstrations of physical prowess that were saturated with sexual references. These physical displays of achievement and acts of bravado easily crossed over into fights and physical pranks that asserted forms of ritual dominance over others on the crew.²²

The initiation of others into the trades was an important way to assert one's individual male prowess and the fraternal identity of the group. Socialization into the construction workers' subculture often came through physical and character hazing that both allowed journeymen to demonstrate their skills and tested apprentices' fitness to work in dangerous situations. Learning a trade was synonymous with being integrated into the social life of the construction site, and formal evaluations of apprentices emphasized “explicit mastery of skills and techniques particular to the work” with “an acceptable adoption of a related set of implicit qualities.” These “qualities” were based on individual fitness for work

and the ability to work on a team, defined vaguely as “character,” which became synonymous with manhood—and, given the restrictions on entry into the trade, whiteness.

The hazing of new recruits, in this context, was an integral part of the construction workplace. As Riemer notes, “the work culture of the building trades dictates that new apprentices should be teased, ridiculed, and generally pushed to their limits. As part of their initiation into the fraternity of tradesmen and as a test of their acceptability, apprentices must continually prove themselves ‘under fire.’” Examples of such initiations for white men could include sending apprentices for tools that did not exist, scaring them by performing risky feats meant to discourage them, sending them to undesirable workplaces, or giving them demeaning jobs.²³

In Seattle and across the country, resentful journeymen responded to the imposition of the mandates that they train black workers by making their usual ritual hazing of apprentices punitive instead of redemptive. The pushing of black apprentices to their limits, rather than initiating them into the trade, thereby served to reassert white men’s exclusive claims to work, to union membership, and to workplace authority.

Union resistance to affirmative action was at its most overt during the first couple of years of the program. During September 1969, in response to ad hoc affirmative action plans meant to quell street protests, union members simply walked off the job. When the courts forced them back to work, journeymen ignored their apprentices. Calvin Amerson, one of the first black apprentices to enter the Seattle construction industry, told a local reporter, “The first six days, we didn’t do any work. Just sit around. Then today, they had me working out for a little while, for about a half an hour. It’s just out there, you know, people have a funny attitude, you know. They look like they hate you or something when you walk into their jobs. They don’t want you out there.”²⁴

In fall 1969, union journeymen developed a series of other tactics for refusing to train unskilled black workers. The Seattle chapter of the American Friends Service Committee (AFSC) found that black workers experienced “a range [of tactics,] from a hands-off treatment, where they are virtually ignored and given no training, or at best given routine, dead-end jobs, to harassment, name-calling, intimidation, and ‘accidents.’”²⁵

These strategies threatened to turn civil rights law into a dead letter. If black apprentices contested the treatment that they received at the hands of white journeymen, they could be accused of insubordination or even be fired if goaded into a fistfight. If they did not contest their hazing, the chances that they would learn a trade were low. Some of those who stayed tried to get paid for doing no work—which white workers cynically used as evidence of the folly of affirmative

action. In the end, all sixty-five of the first black apprentices who entered the Seattle construction industry in fall 1969 ended up quitting within a few months. They were not replaced because the plans required only that a certain number be hired, not retained on jobs or as union members eligible for dispatch.²⁶

As a result, even before the court order was issued in Seattle, union journeymen found a way to meet the statistical goals of affirmative action plans on paper while hollowing out their substance. Unions could cycle through black apprentices instead of training them and discourage black workers from staying or learning a trade. When workers quit, unions disavowed any responsibility and blamed the black workers for the high attrition rates, often implying that non-white workers were too lazy or unintelligent for skilled work and that affirmative action was impossibly utopian social engineering.²⁷

Union resistance strategies expanded as the economy worsened during the early 1970s and Lindberg's court order imposed a much stricter regime of goals and timetables for minority hiring. A simultaneous decline in commercial and military airplane contracts during the late 1960s and early 1970s drove Boeing to lay off much of its workforce, devastating the Seattle-area in the process. The company reduced its workforce from 100,000 in July 1968 to 48,000 people in the Seattle area by the end of 1970, and would cut one third of those remaining jobs by summer 1971. A growing housing recession both locally and nationally, magnified by the Nixon administration's choice to cut federal construction spending, also produced substantial layoffs in the region's construction and logging industries. The state's resulting unemployment rate of 12 percent was double the national average, and Seattle's unemployment rate of nearly 16 percent was the highest of any major metropolitan region in the United States. While Nixon aide John D. Ehrlichman took a special interest in the city's plight, his hands were tied by the free market ideology of Nixon's economic advisers. It wasn't until a decade later that the region even began to recover from its decline and deindustrialization with the growth of the region's computer and biotech industries.²⁸

The economic crisis deepened social conflict over racial discrimination in the Seattle construction industry. Union leaders did not seem to direct white worker resistance to affirmative action. But their steadfast opposition certainly encouraged workers to believe that affirmative action was illegal and antiunion, and was a means by which to take away "their" jobs. The specialized nature of the trades and idiosyncratic quality of the construction industry subculture in turn made it easy for individual workers who were resentful about their precarious class and racial status to take advantage of new black trainees in ways that had systematic effects. Michael Fox, who represented the UCWA beginning in 1971, described the work conditions that grew out of the Seattle court order as "a hellfire of hostility towards the presence of these black apprentices, who were referred to

on many occasions as Lindberg Journeymen.” Henry Andes, an IBEW business agent, concurred, albeit vaguely. Describing the tenor of the work environment following Lindberg’s order, he noted, “There was [pause] a lot of turmoil, a lot of resistance and a lot of hate and dissension.”²⁹

Todd Hawkins, an Ironworker apprentice and UCWA activist, recalled that as the court order began to be implemented, “industry racism really began to flourish in insurmountable numbers, incidents on jobs, journeymen or white workers didn’t want to relate to the old black journeyman or the apprentices, did [not] want to teach him, did not want him in his shop.” A journeyman might, for instance, tell a trainee to polish pipe, but he “doesn’t really tell you why the pipe needs to be polished, why the oxidation needs to be taken off, how the oxidation will affect the solder once the heat has been put to it. He doesn’t take time to explain. He just pigeonholed him” by giving him what appeared to be useful work without teaching him.³⁰

White journeymen might also put their apprentices in situations in which they were likely to be injured. Hawkins explained:

If you look at someone arc-welding, you can burn your eyes very seriously. And this journeyman thought it was a big joke to have this apprentice watch him weld. And you know, it injured his eyes very seriously. The next day it feels like sand. And if you watch it for any period of time, it just gets worse. This kid was messed up for more than a week, and they wanted to cancel him out of the program [for missing work].³¹

Or white workers might send an apprentice to get the prized tools of a master craftsman, only to be immediately accused of theft because he had not been told that these particular tools were off-limits. Others were sent for tools that do not exist to intentionally provoke the apprentices’ anger in a way that could earn them bad reviews or start fights that would get them kicked out of the program. Acts such as these added a toxic dimension to the pranks and hazing that had been a regular feature of construction workplace culture before the entry of the nonwhite trainees. They also allowed racism to be masked as redemptive and the pioneers’ angry responses as an indication of their inability to “take a joke” or get along with the team.³²

The subversion of the dispatch system by union dispatchers and contractors further undermined the affirmative action plans from within. According to Northwest AFSC Director Arthur Dye, during the first couple of years of the court order,

Some [black] workers appeared at the hiring hall day after day for several months and were never dispatched. If they began to ask questions

why they were not dispatched they would be sent out to jobs in Port Angeles or Yakima, both a hundred miles or so away, only to find out that when they arrived at their destination there wasn't a job. Or they would be dispatched to a job where there was considerable possibility for physical intimidation.³³

Even when there were jobs in such far-flung places, it placed an extra expense on black apprentices' participation in affirmative action plans. A number of apprentices did not have cars or had cars that were not in proper condition to make long commutes, and carpooling with white workers was out of the question. Moreover, some employers moved black apprentices from job to job to have them counted by government compliance agencies more than once—a practice that both increased apprentices' transportation costs and reduced their ability to learn a trade.³⁴

The government was largely impotent to counteract the subversion of affirmative action by unions and employers. Three of the four unions subject to the court order filed an appeal (the Ironworkers chose not to) that removed the case from Judge Lindberg's jurisdiction and prevented him from substantively changing his order. And although the Ninth Circuit Court of Appeals upheld Lindberg's ruling on May 17, 1971, the subsequent union appeal of that ruling to the Supreme Court was not denied until December of that year. According to Luvern Rieke, a University of Washington law professor who chaired COAC, "during the time that the appeal was pending, nobody was giving anything. . . . So there was a year and a half or two years during the appeal period in which the district court couldn't make changes and obviously changes are necessary."³⁵

By exploiting their control of workplace culture and maintaining social hierarchies at work, on-the-job resistance turned affirmative action into more or less a dead letter while union appeals were pending in the courts. According to a Seattle Urban League report, "Union representation on the committee rarely [attended] the meetings and, excluding Electrical Workers Local 46, Union efforts to implement the Special Apprentice Program were token. The Unions argued that the economy was too poor to provide work for the total number of Special Apprentices required by the order."³⁶

Contractors, especially small ones, made similar economic arguments. In December 1971, some contractors openly refused to hire black trainees even when their contracts required it. When the matter was referred to COAC, it found itself powerless to tell contractors or unions to hire staff they claimed they could not pay. According to a report by the Seattle chapter of the Associated General Contractors (AGC), "It is extremely difficult for any of the [COAC] staff to get other than a courteous reply when there is no authority back of their request other

than the burdensome, difficult process of requesting a court order.” Seeking legal redress through the courts was made more difficult because the Department of Justice lawyers tasked with enforcing the court order were located in Washington, D.C., and black workers lacked formal representation in the lawsuit.³⁷

The United Construction Workers Association and Black Construction Worker Radicalism

The UCWA emerged from the black community control movement as a vehicle for black workers to challenge the on-the-job subversion of affirmative action. But the idea to form a new organization to represent black construction workers in Seattle came from an unlikely place—the Northwest Chapter of the AFSC.

The AFSC began consulting with Tyree Scott and other black contractors after white workers drove black apprentices off the job during fall 1969. Scott had come to the attention of the AFSC while leading the Central Contractors Association (CCA)—an organization of black contractors brought together in spring 1969 by the Seattle Model Cities program to get federal construction contracts and train black construction workers. Scott grew up in a small segregated town in Texas in the 1940s and 1950s; he dropped out of high school to enter the Marine Corps to support his family when his girlfriend became pregnant. He served in the Marines for nine years, where he learned to be an electrician, but decided against reenlisting after serving in the Vietnam War and seeing white soldiers’ racist treatment of the Vietnamese. After his discharge, Scott moved to Seattle with his family to work for his father’s electrical business, which meant working on nonunion jobs at the margins of the industry because of local building trades union racism. Scott soon became friends with a number of other black workers in Seattle with experiences similar to his own: skilled veterans, primarily from the South, who had migrated to Seattle for work after being stationed in one of the military bases in the area, only to find Seattle housing and employment completely segregated. It was through this social network of black contractors that Scott became a founding member and leader of the CCA. And as the CCA began staging direct action protests during August and September 1969, Scott consciously expanded his organizing beyond black contractors to include black welders and other industrial workers from the Seattle shipyards.³⁸

In early 1970, the AFSC chose to bankroll the UCWA—hiring a community organizer to be its director, providing it with office space and a secretary, and working with it to seek fund-raising from church and progressive philanthropies—while deferring to its leadership and membership on its ultimate course of action. The AFSC report announcing the formation of the

UCWA to potential donors and supporters claimed that the group intended to recruit “minority building tradesmen and potential trainees” to “exert pressure to enforce the laws already in existence.” No matter how that worked in practice, according to the report, “the important thing, we feel, is to facilitate some community organization among the people most affected by discrimination in employment in the construction industry.”³⁹

After three months investigating the issue and interviewing dozens of people, the Seattle AFSC hired Scott to lead the new organization. The AFSC consciously chose not to dictate the direction that the UCWA would take once formed, although its various ideas highlighted the experimental and hybrid quality of the organization. The AFSC at once imagined that the UCWA might evolve into an industrial union of black workers excluded from the craft unions, a caucus of black workers in the unions, a service organization for apprentices, a watchdog group for affirmative action enforcement, an ally for black contractors, or a combination of all these things. Once hired in June, Scott chose to reject both the dual-union and caucus options that the AFSC had considered. Instead, he linked the organization to the *U.S. v. Local 86* lawsuit by making the UCWA a vehicle for black workers to demand vigorous enforcement of the court order. This meant enlisting black workers to study the law, determine their rights, and decide how best to assert them. Reflecting on this use of affirmative action litigation as basis for community organizing, in 1975 Scott recalled that “the UCWA is built around the Title VII case and other cases brought since then. I spent a lot of time learning the use of Title VII, what [it] actually meant.”⁴⁰

Scott held the first meeting of the UCWA on July 14, 1970, to bring together the workers found to have been illegally denied employment in *U.S. v. Local 86*, and whom the court had ordered the unions to hire. Twenty-five of the forty-one individuals attended. “They discussed the personal experiences with discrimination on the job and,” according to a UCWA report, “determined that they would work together to fight this discrimination, beginning by going over the new court order to inform themselves of their new rights under it.” Starting with these workers, and then the dozens of other special apprentices that Lindberg had ordered the unions to hire, the UCWA set out to facilitate communication and provide legal and political advocacy on behalf of all black workers whose experiences would determine the fate of Lindberg’s affirmative action plan. Within a month, its workers-only meetings were drawing as many as one hundred attendees. At the meetings, workers received updates on the enforcement of the court order, pooled information about their dispatch from union hiring halls, discussed tactics for responding (and not responding) to on-the-job racism, and coordinated transportation to work and other activities meant to overcome barriers faced on and off the job.⁴¹

The UCWA advocacy, which was central to the early life of the organization, provided a powerful contrast to the black worker recruitment and training done by the Urban League and AFL-CIO affiliates around the country in the 1960s and 1970s. Most affirmative action plans in the construction industry trained new workers without educating them about their rights. Without an advocacy arm through which workers could demand redress when confronted with on-the-job union or contractor racism, these training programs effectively depoliticized the civil rights struggles.

The bypassing of the Seattle Urban League by the UCWA was delicate and facilitated indirectly by unions' refusal to differentiate between the managerial approach to civil rights politics of the Urban League and the radical democratic politics of the UCWA. In fall 1969, the Seattle Urban League hired Cecil Collins as a full-time staff person to support black contractors, anticipating that this would set the Urban League up to administer any forthcoming affirmative action plan. In December 1969, Collins tried to convince the Seattle AFSC to limit its advocacy in the construction industry to "attitude changing, such as the sensitivity training conducted within some big businesses." Collins reportedly told the AFSC in spring 1970 that a black workers' organization might needlessly inflame tensions and told the AFSC that, as a predominantly white organization, it should not get directly involved in the building trades dispute. But with unions and employers unable to find common ground, the hopes of the Urban League to administer a local hometown plan were dashed. By September 1970, just two months after the founding of the UCWA, the Seattle Urban League realized that the Department of Labor would not fund its proposal to recruit black apprentices and withdrew its request, essentially ceding responsibility to the UCWA and the courts. The UCWA seized on its new role by trying to link the enforcement of Title VII to local community control politics and the radical democratic ethos of the New Left. " 'Power to the People' becomes a fact, not a slogan," the AFSC announced, "when a black construction workers' organization is assisting a court appointed committee to carry out the court's orders regarding equal employment."⁴²

But with unemployment skyrocketing, union resistance rampant, and the COAC resistant to providing the UCWA any official power, the UCWA struggled to support the workers that it advocated for. "We spent a great deal of that [first] year," Scott recalled, "just replacing guys that had dropped off the program." Part of the reason for the high black apprentice attrition was that slow economic times provided both a legitimate reason and an excuse for union dispatchers to slow the employment of black trainees. In this context, Scott said, "[A] Black apprentice might be out of work for a period of two or three months, while he is required to go to school...and of course his position was 'why should I go to school when

I'm not working?' And he hadn't stockpiled a bank account or anything. That was a cause for a lot of the attrition: the inability to work regularly."⁴³

The UCWA responded to the economic crisis by scrambling to find contractors willing to employ black workers. "With all the jobs gone," an AFSC report noted, "placement has been limited to finding occasional jobs by pegging individual contractors who are either sympathetic, working in strategic Central Area locations, or who had been told by contract compliance officers to take on additional minority workers." In a number of cases, contractors accommodated affirmative action mandates by reducing the number of white journeymen on the job, further exacerbating tensions between white and black workers.⁴⁴

Once on the job, black workers developed both individual and organizational responses to their conflicts with white workers. Each act of resistance was fraught with complex calculations about whether it was safe to speak out at a dangerous and hierarchical workplace. Individually, trainees did everything from disobeying orders to bringing guns to work to quitting. According to Tyree Scott, differences in white and black working-class cultures exacerbated workplace conflicts over affirmative action: "The Black worker might be 25, 30-years old. This [blank in transcript] has never had no job, ain't got no tools, coming to work in his high heeled shoes, and doesn't fit in, and also alienated from his white counterpart, who is hostile to him. So as a result, he shows up late, don't show up at all, gets into an argument with him."⁴⁵

As black trainees asserted themselves at work, a workplace already prone to "physical horseplay" became increasingly tense and dangerous. As Michael Woo, a UCWA organizer, recalled,

it was not the kind of work culture environment that would be tolerated in any way today. . . . It was an environment where these workers weren't feeling safe. We could visibly see the handguns, they would come from their job sites right to these [UCWA] meetings with their handguns because they were not feeling safe on these jobs. And I'm sure likewise a lot of the white workers were armed as well.⁴⁶

UCWA meetings generally advocated preventive measures for deescalating situations on the job, teaching apprentices to not be baited into reacting to racist taunts in ways that could get them kicked off the job or out of the program. At meetings attended by dozens and sometimes as many as a hundred workers, UCWA leaders collected workers' stories from their jobs, kept track of union and contractor resistance, received updates from their attorneys, and strategized about the direction of the organization for the following days and weeks.⁴⁷

When all else failed, UCWA activists selectively used construction site closures—a kind of strike by a community union—to resolve specific grievances.

As a dramatic example, Scott recalled that, when a black worker told a UCWA meeting that he had been given menial work by a journeyman in his trade only to be told by a member of another union that such work was outside his jurisdiction, “everyone thought that was absurd, what the hell, we have the right to work.” The following morning, nearly one hundred black workers skipped their jobs, brought sticks and pipes to the construction site where the black trainee had been refused work, kicked all the plumbers off the job while allowing other workers from nonoffending unions to keep working, and forced the journeyman plumber to give the black trainee a meaningful job.⁴⁸ Taken together, these strategies that UCWA members developed for learning a trade in a hostile workplace environment highlight a new labor radicalism that emerged outside and sometimes in opposition to organized labor to enforce affirmative action plans in the 1970s.

From Jobs to Power

The escalating conflict between black and white workers on the job sent shock waves through the ineffectual structures meant to oversee their collaboration. By the time the U.S. Supreme Court denied the last appeal of the Seattle unions on December 7, 1971, the Seattle court order had been failing for some time. High attrition rates, the poor progress of the special apprentices in their accelerated two-year programs, and the open resistance of contractors and unions to the order had demoralized the COAC staff and committee members. Judge Lindberg solicited proposals to amend the court order for at least six months prior to the time he met with the COAC to discuss them. The unions, however, boycotted the meeting. Rieke, who chaired the meeting, recalled Lindberg’s frustration that the goals of the court order continued to go unmet despite the fact that “the goals set in the Court Order are so modest that even in a weak economy they should be accomplished.” In response to the looming sense of failure, the minority members of the COAC called for a higher ratio of nonwhite apprentices to be hired, but their “recommendation was opposed by Union and Management representation on the committee and no action was taken by the court.”⁴⁹

By early 1972, UCWA activists surveyed the political and economic landscape created by high attrition rates at the workplace. Noting that there were at least ninety fewer black apprentices in the trades than were required by Lindberg’s order, a sense of despair mixed with outrage began setting in. White union power, solidarity, and experience had largely trumped the courageous but underfunded attempts of outside groups such as the UCWA to create an atmosphere on construction sites that could prevent black trainees from being driven out.

Despite acknowledging the failure to meet court-ordered requirements, neither the COAC nor Judge Lindberg had laid out an enforcement plan that would put the implementation of the order back on track toward meeting its hiring goals. “We were outraged about it,” Scott recalled, “and all we were doing was going through that legal mumbo-jumbo.”⁵⁰

“We thought about closing the whole thing (the UCWA) down,” Scott told one reporter in 1972. “It was becoming just another central area social-service agency. I didn’t think that was a proper role.”

We had gotten to the point that we said, “to hell with it, we haven’t done any good, all this effort... [19]69, 70, 71—all we have to show for it is 30–35 people in the industry.” So we decided to go for broke... We sat down and we planned it from day one that we were going to either win or lose, we would take them on one more time in the streets. And just show them that they were violating the court’s orders.⁵¹

The campaign was a make or break movement to demand full and immediate implementation of the court order that quickly evolved into call for something that no court or government had heretofore granted minority workers or their representatives—inclusion as formal parties in the litigation that had imposed affirmative action on their behalf.

The subsequent construction site closures led by UCWA activists brought the informal conflict between white and black workers to a new level of crisis that barely avoided becoming an all-out gunfight. On June 1, 1972, UCWA leaders broke into the control room of the floating bridge on Interstate 90 (I-90) and jammed the bridge open to block the Seattle Police Department Tactical Squad from getting to the other side of Lake Washington. In the meantime, forty UCWA activists “shut down all I-90 projects [on a five-mile stretch] between Bellevue and Issaquah,” doing at least \$5,000 in damage to construction equipment in the process. Construction resumed on I-90 the following day, but UCWA activists continued their campaign by shutting down construction at two privately funded skyscrapers: Safeco Tower in the University District and the Financial Center building downtown. They also skipped a scheduled meeting with George Andrews, the head of the Washington State Highway Department, thumbing their nose at further participation in what they considered to be pointless negotiations. By June 5, when they closed seven different University of Washington job sites, the UCWA had disrupted more than \$50 million in construction projects in less than a week.⁵²

At an emergency COAC meeting held on June 5, thirty UCWA members presented non-negotiable demands and left without entertaining any discussion. The demands included full and immediate implementation of the court order

to meet its hiring goals; “Complete control over all minority dispatches to construction work in Seattle”; and no work on any area construction projects until the court order was implemented in full. St. Laurent, the Labor Council head, boycotted the meeting. Glen Arnold, union representative, walked out as soon as the UCWA members arrived en masse. Dan Ruthford, the contractors’ representative, warned that the unions were fed up and workers at some sites had voted to physically resist any further job closures.⁵³

That same day, at the request of the AGC, Superior Court Judge David Hunter issued a restraining order against further UCWA job closures. The UCWA, disenchanted with what they considered to be the hypocrisy of the law, ignored the order. When served with the order the following morning, Tyree Scott publicly burned it, saying it should be ignored “just as the court order is not being followed.” Todd Hawkins later explained that it “was a symbolic burning. The paper wasn’t no good to us. We thought the paper meant something too, and every time we tried to play the game with the paper, we always got better results when we went to direct action.”⁵⁴

After burning the restraining order, Scott led a march of black workers and their supporters through the black neighborhood of Seattle, stopping jobs along the way and finally arriving at Seattle Central Community College (SCCC). The following three days of protest became the climax of three years of direct action by black construction workers in Seattle. When protesters arrived to shut down construction at the community college, the fifty workers on the job refused to stop working. The job supervisor and a protester got in a fistfight that had to be broken up. Following this altercation, white workers gathered on the second floor of the building, shouted epithets, and dumped water on protesters. In response, a number of black protesters scaled the building ladders and beat the white workers. Austin St. Laurent, who was with the workers who refused to quit work, was hit across the back, knocked to the ground, and had his glasses broken. Another union representative was knocked unconscious, while a third, Henry Andes, after stepping up to defend St. Laurent, was hit across the face with a rebar pipe and knocked unconscious while his head was repeatedly beaten into the ground (he was taken to the hospital to have his jaw reset). Instead of arresting the perpetrators, the police, who had done little to intervene until fighting broke out, arrested Tyree Scott, Todd Hawkins, and three prominent UCWA allies.⁵⁵

The next day, Scott joined over 175 UCWA protesters and allies at the college and found the school ringed with police and filled with armed construction workers, many of whom were former veterans. Andes recalled that “the construction workers on the job were about the most heavily armed civilian personnel I’ve ever seen: 44 magnums, handguns all the way down to sawed off shotguns were there.” Scott and other UCWA activists, clandestinely listening to the police

radio, had learned about the situation that faced them and decided that trying to occupy the construction site would be suicidal. Instead, the protesters raided and badly vandalized an unprotected working building that was part of the college campus. With as many as nine hundred people in the building, protesters broke 110 windows and caused over \$15,000 in damage in less than seven minutes. Exiting from the back of the building to avoid the police in front, nearly one hundred protesters encountered only a dozen police who tried to stop them. Photos of the pitched street battle between police and half a dozen of black activists wearing hard hats and wielding two-by-fours made it into the local newspapers and put the ineffectiveness of the court order on display better than any statistic could.⁵⁶

That afternoon, Lindberg issued a supplement to his court order that (1) mandated a 1:5 minority apprentice-to-journeyman ratio, (2) required the enrollment of a minimum of 180 special apprentices by July 7 to meet the requirements of the court order (there were only 86 enrolled when he issued his order), and (3) granted the COAC authority to directly petition the court instead of using Department of Justice lawyers as intermediaries. He did not grant the UCWA dispatch authority or make it a party to the lawsuit, although he promised that a decision on these issues was forthcoming.⁵⁷

June 8 brought the third day of protests at the college as well as a change of tactics by the protesters that was meant to deescalate what had become an extremely dangerous situation. It was, according to Scott, “the biggest demonstration we ever had. Everybody was there, the middle class people, priests, all sorts of folks, women and children. So we had a responsibility at that point, not to get people’s heads beat.” Scott, Hawkins, and two other UCWA allies chose to be voluntarily arrested to stop the street fighting and return the battle for Black Power to the courts. “We’re not getting moderate. We just don’t want to get killed,” Scott claimed. “If we continue now they’re going to kill some of us because we’re so-called violent.” They planned to use their time in jail to fast and dramatize the hypocrisy of black workers’ being in jail while court-ordered hiring requirements continued to go unmet. But, instead, the district court judge waived bail after they refused to pay it, releasing them despite the fact that they refused to sign their own release papers. “This is embarrassing,” Scott told the *Seattle Times*, now thoroughly disillusioned with what he considered the arbitrary enforcement of the law. “Getting thrown out of jail. This is as low as you can get.”⁵⁸

Following his ejection from jail, Scott led a series of community rallies to press for the UCWA to be granted dispatch power over minority workers. At a June 11 rally at Garfield High School, he linked the UCWA struggle to that of the black community more generally, saying, “What we want is the right for community control. That’s what it means, the right to have minority workers dispatch out minority workers.”⁵⁹

Lindberg made the UCWA party to the *Local 86* lawsuit and official members of the COAC on June 12, 1972, but he again delayed a decision on dispatching power. When the COAC reconvened, union leaders boycotted it and contractors refused to endorse Scott's proposal to give the UCWA dispatching authority. But, because the contractors abstained from voting, a unanimous vote granted the UCWA dispatch power anyway. The vote, although only symbolic, once again threw the COAC into crisis.⁶⁰

In response to Lindberg's new order, St. Laurent claimed that Judge was senile and called for his resignation. He announced his own resignation from the COAC in an open letter that claimed, "by giving [UCWA] dispatch or any other semblance of recognition, the judge would be, in effect, creating a new, separate, all-black union, which is what we don't want. We want everyone together in the present unions."⁶¹ He complained that "it appears that every action of the Court in this case has been in reaction to illegal acts of violence and threats of such violence." And he seemed to threaten white worker violence by warning, "we are presently unable to continue to control our membership (both black and white) because of their belief that the Department of Justice and the Court is using the United Construction Workers Association (UCWA) and Tyree Scott to attempt to destroy the construction unions."⁶²

The day that St. Laurent resigned from the COAC and called for Lindberg to be removed from his job, the UCWA organized a fifty-hour vigil outside the federal courthouse supported by members of the Church Council of Greater Seattle, who brought food and sleeping bags. But June 15 came and went with Lindberg again delaying his decision on how to reconstitute the COAC or on how black workers would be dispatched to construction sites. On June 16, the UCWA led a march that, in addition to black radicals, included Asian, Chicano, and white left activists. Together, they closed down three large and three small construction sites.⁶³

The pressure eventually paid off. In July 1972, Judge Lindberg added the UCWA to the suit, gave it representation in the COAC, formalized its role as a counselor for and screener of all black apprentices prior to union dispatch, and issued a permanent injunction against the UCWA's shutting down another construction site. By making black workers' private grievances public and by taking the ongoing crisis within the construction industry from the workplace back into the streets, the UCWA had successfully linked affirmative action enforcement to black worker empowerment.⁶⁴

The events of June 1972 thus broke the back of union resistance to affirmative action in the Seattle construction industry. Judge Lindberg's order, produced in response to over a month of militant direct-action protests, stood as a model for government activism at a time when the Department of Labor was retreating

from affirmative action in an attempt to woo conservative working-class white ethnics to vote for Nixon in 1972. St. Laurent, outraged, canceled the parallel union affirmative action program and abandoned his claims that unions could oversee desegregation without cooperation from African American community organizations. In the time between Lindberg's temporary supplemental order in June and when it was made permanent in July 1972, seventy-five special apprentices were added to the previous ninety-two of the program, showing the power of community action to bring about a quick change of structures that had claimed to be hamstrung by political and economic constraints.⁶⁵

The UCWA victory contrasted sharply with the experiences of black workers in cities across the country, for whom the failure of affirmative action plans brought further marginalization rather than empowerment. UCWA got more jobs for black workers in June 1972 than many affirmative action plans operating for two years in cities that were significantly larger and more racially diverse than Seattle. The more than one hundred voluntary plans across the country were unable to deal with high black attrition and low union compliance. In Chicago, the city that had the first voluntary plan for its construction industry and that was used as a model for hometown plans in other cities, the call to hire 4,000 new black apprentices in one year was met with only 75 new recruits. In addition, a city alderman who oversaw the finances of the program embezzled large amounts of Department of Labor money, and the plan collapsed in rancor. In Philadelphia, the original test case for affirmative action in the construction industry, plans for 1,000 new jobs for black workers in the first year brought only 60 hires. In Pittsburgh, the second city with a voluntary hometown plan, two years and \$500,000 (some of it embezzled) produced only ten successful graduates of a black apprenticeship program. From Boston to San Francisco, Detroit to Atlanta, the statistics invariably told the same story: widespread failure to even come close to meeting the desegregation goals. By the end of 1972, the *New York Times* reported that "the Nixon administration has reportedly all but abandoned efforts to force Federal contractors to hire more blacks," and quoted a federal compliance officer as saying that "morale around here has hit the floor."⁶⁶

In this context, NAACP Labor Director Herbert Hill and law professor William Gould began to tout the Seattle court order as an alternative means for making affirmative action work in the 1970s. A few years later, even Ray Marshall, President Carter's secretary of labor, coauthored a book that singled out the UCWA community action model of enforcing affirmative action as something for other cities to emulate.⁶⁷

Yet UCWA activists did not kid themselves about the immediate effect of their victory in 1972. Despite the Lindberg order requirement to train 270 black workers in its first three years, only six workers had actually finished their training

and become journeymen by summer 1972. The inclusion of the UCWA in the court order did not promise that it would be able to overcome the substantial barriers to training, placing, and making black workers full members in their respective unions. But it did give UCWA activists new means and new inspiration to promote a model of community organizing through Title VII law that gave black workers power to regulate workplace culture without placing the onus for change entirely on their shoulders.⁶⁸

Title VII Community Organizing

Heady from their inclusion in the *U.S. v. Local 86* case, UCWA leaders branched out in numerous directions with the hope of planting the seeds of a national movement of minority worker radicalism based on the UCWA model. Between 1971 and 1974, the UCWA used its AFSC contacts in other cities to try to develop chapters outside Seattle—organizing black construction workers in Portland and Denver and hiring a former Black Panther to organize black truck drivers in Oakland, California. These efforts, however, quickly fizzled: local community activists proved wary of outsiders, and aggressive litigation strategies did not always fit with the desires of the communities to which the UCWA tried to expand.

But, in 1973, the UCWA secured a contract from the U.S. Equal Employment Opportunity Commission (EEOC) to host workshops on workers' rights under the 1972 Civil Rights Act in eight mid-size cities in Oklahoma, Texas, Louisiana, and Arkansas. Instead of hosting workshops, Scott, Hawkins, and Michael Simmons, an AFSC activist, decided to use the EEOC grant to do community organizing. They traveled from city to city—attending churches, visiting local Urban League and NAACP offices, hanging out in pool halls and barber shops, and attending barbeques—all the time asking about workplace discrimination and talking about what they had accomplished in Seattle.⁶⁹

After gathering stories and making connections, Scott and Hawkins started small community organizations of blue-collar workers, trained workers to collect testimony for Title VII lawsuits, and connected workers with attorneys from Seattle, Stanford, and New York to assist with their legal strategy. In December 1973, as the EEOC grant expired, the UCWA held a conference in Waco, Texas, that brought together three hundred people from the eight cities to found a federation for their worker-led community organizations to sustain their aggressive campaigns to desegregate local industries. The umbrella organization they created, the Southwest Workers Federation (SWF), filed five Title VII lawsuits in seven months and at least 25 EEOC complaints in each city challenging racism in major industries throughout the region (the Little Rock chapter produced over 100 EEOC

complaints alone). The SWF continued for roughly five years as black workers took advantage of the legal training they received to organize activist community groups that addressed everything from employment discrimination to police accountability to antiapartheid activism. In cities such as Tulsa and Shreveport, where white supremacy had been so entrenched that the civil rights movements there had rarely used nonviolent direct action, these new worker organizations became the most vocal and outspoken Black Power organizations the cities had.⁷⁰

Meanwhile, in Seattle, the UCWA success in 1972 played an important role in the development of a worker-centered U.S. Third World Left in the mid-1970s. The distinguishing features of this emergent left were (1) multiracial solidarity; (2) a language of *third world*, rather than *minority* or *people of color*, to describe the communities that activists sought to unite in common cause; and (3) a labor radicalism whose campaigns for “self-determination” at home were framed in solidarity with “third world” independence movements abroad.⁷¹

The UCWA influence on Asian American radicalism in the Pacific Northwest was especially significant. In 1972, the UCWA provided seed money to Michael Woo, its Chinese American staff person, and a group of young Filipino activists to use the UCWA organizational model to combat racism in the Alaska cannery industry. These activists created the Alaska Cannery Workers Association (ACWA), filed a number of Title VII lawsuits, and used these lawsuits (which prohibit retaliatory firing) to protect themselves against International Longshore and Warehouse Union (ILWU) Local 37 and employer attempts to blacklist them. ACWA activists then created the Seattle chapter of the Filipino communist organization, the Katipunan ng mga Demokratikong Pilipino (KDP, or Union of Democratic Filipinos). This group, the only pan-Asian chapter of the KDP, played a large role in organizing grassroots pressure to preserve Seattle’s International District. These same activists also formed a Local 37 Rank and File Committee, and began connecting their union reform politics to solidarity campaigns against the Ferdinand Marcos dictatorship (the corrupt union dispatch system rewarded allies of Marcos).⁷²

Although growing in different directions, the ACWA and UCWA continued to collaborate through the Northwest Labor and Employment Law Office (LELO), which they cofounded in 1974. A law office for worker-led movements that was separate from the War on Poverty lawyers they had previously relied on, LELO hired lawyers to oversee the various lawsuits filed by the Washington state United Farm Workers (UFW), the ACWA, and the UCWA. The LELO Board of Directors originally consisted of three Filipino cannery workers, three Mexican farm workers, and three black construction workers.⁷³

The experience of international travel played an important role in UCWA members’ analytical shift from antiracist to anti-imperialist organizing in the

mid-1970s. In 1971, UCWA leaders cofounded, along with AFSC-related groups across the country, the AFSC Third World Coalition (TWC). The TWC demanded affirmative action *within* the AFSC; the involvement of nonwhite people in the AFSC international peace work; and a rethinking of the AFSC mission from promoting peace abroad through charity work to promoting peace and justice through the support of anticolonial struggles. Milton Jefferson, UCWA activist, became the first TWC president, and Tyree Scott helped involve other Seattle-area activists by forming a northwestern TWC chapter that played an active role in national TWC affairs. Roberto Maestas, a Seattle Chicano activist, served as TWC president a couple of years after Jefferson. Under both men's leadership, the TWC provided an umbrella through which radical organizations around the country networked with one another and accessed resources from the AFSC that few other such radical organizations had. They used this money to travel around the world to meet anticolonial third world nationalist and communist revolutionary leaders, and to bring revolutionaries to the United States. During this time, Tyree Scott went on a workers delegation to China, and Todd Hawkins went to Mozambique. A large delegation of UCWA activists also started regularly participating in Venceremos Brigade trips to Cuba.⁷⁴

International travel helped UCWA members rethink their local struggles in an international context. In 1976 when Tyree Scott became cochair of the TWC with Michael Simmons, fellow SWF organizer and AFSC staffer, the two spun off its affirmative action advocacy to the AFSC human resources department. They then focused the TWC on international solidarity work for the next three years. During the late 1970s, Simmons and Scott sponsored trips of AFSC organizers of color around the world and brought third world revolutionaries to visit the United States. They dovetailed their leadership of the TWC with the a new communist group that they were active in, the Organizing Committee for an Ideological Center (OCIC). Although separate from the AFSC, Scott and Simmons moved between the TWC and OCIC seamlessly as they coordinated a network of a dozen city-based revolutionary worker cadres across the country. Their organizing borrowed from the worker organizing they had done in the Southwest and even included a few activists from Tulsa who had moved to Seattle to be a part of its workers' group. Simmons's work, in particular, played an important early role in laying the groundwork for anti-apartheid activism in the United States in the 1970s.⁷⁵

In Seattle, the international turn in the outlook of UCWA leaders influenced their decision to focus more on consciousness raising and power building than on desegregation per se. During the late 1970s, they published *No Separate Peace*, a periodical written by and about workers of color who framed their workplace and neighborhood campaigns for justice in Seattle as part of an international struggle against U.S. capitalism, white supremacy, and imperialism.⁷⁶

The UCWA remained unable, however, to overcome the growing barriers that the institutionalization of affirmative action erected against ongoing community organizing. Once the UCWA had finally gained power in the COAC, its role shifted toward black caucus work within the individual building trades unions. But the recession in the construction industry and the decline of union power in the 1970s made it difficult to secure additional jobs. Most union members remained suspicious of, if not hostile to, UCWA members who showed up to union meetings demanding new and more inclusive forms of organizing. Scott himself was stretched thin by the ambitiousness of the UCWA expansion, and so were a few other UCWA leaders. As a result of his work, Scott was blacklisted, and other UCWA members found themselves struggling to get work or sent to do jobs that others did not want. The UCWA, along with the SWF, also found it easier to gain support from black apprentices and workers who needed to be politically active to gain access to jobs. But once jobs were opened up, many workers' political activity became uneven even before Scott and his allies became more focused on building worker cadres than building mass protest or social service organizations.⁷⁷

The dissolution of the COAC proved a turning point for the UCWA. In 1978, employers, unions, and COAC staff argued that the construction industry had finally met Judge Lindberg's affirmative action goals. Tyree Scott and the UCWA, however, complained that the goals had been met only on paper and that racism persisted unimpeded. Black apprentices, they argued, had graduated but lacked the skills to compete and ended up working in the same shipyard jobs they had always been relegated to. Scott also claimed that the union dispatch procedures continued to be discriminatory. In response, Rieke, the COAC chair, took a narrow view of the court order. He argued that it required the indenture of a certain number of workers but never claimed to promise steady employment after they had learned a trade. Rieke thus concluded that racism in dispatch procedures or on the job was "an issue outside of this particular decree." After 1978, the responsibility of COAC to recruit black apprentices was thus spun off to a powerless social service agency while its oversight of the hiring and training of workers was returned to the labor unions, which were weaker than when the desegregation battles had begun.⁷⁸

Without the COAC, UCWA lacked the institutional power that had made it distinct from other radical black worker organizations in the 1970s. Attempts to expand the UCWA model proved even more difficult. The EEOC backlog of discrimination complaints reached the hundreds of thousands by the mid-1970s, and Title VII lawsuits swelled the dockets of federal district courts around the country. With the EEOC badly underfunded and the courts ill-equipped to oversee wide-ranging decrees, the institutions established to enforce affirmative

action became increasingly bureaucratic and reduced the opportunities for community organizing. Similarly, as the sense of urgency in response to black urban rebellion faded, Title VII case law evolved in a way that made litigation increasingly time-consuming, with some cases initiated by LELO taking between ten and fifteen years to resolve. These delays made it more difficult for activists to gain the cash settlements that the UCWA had hoped would fund the movement, while also making the litigation itself more costly.⁷⁹

As it became more difficult to use affirmative action law for radical organizing, the UCWA disbanded, and its leaders folded their community-organizing activities into LELO, which they transformed from a law office to a multiracial community-based labor organization in Seattle. During the 1990s, LELO facilitated the organization of caucuses of workers of color and women within the unions; demanded jobs for people of color on public works and urban redevelopment projects; and played a prominent role in promoting police accountability. It organized local workers of color to protest at the 1999 World Trade Organization (WTO) meeting in Seattle and worked with other groups around the world to develop workers' proposals to restructure the global economy. LELO followed up on these activities in 2001 to connect the themes of global trade and local jobs by creating a Port Profits for Human Needs Campaign—inspired by a similar successful campaign in Los Angeles in the early 1990s. Tyree Scott's passing in 2003 slowed that campaign and LELO organizing. But the alternative labor movement that Tyree Scott led, and the generation of multiracial labor radicals and antiracist activists that he mentored, continue to organize two-pronged battles for both jobs and power.⁸⁰

84. Michael P. Balzano, “The Silent versus the New Majority,” in *Richard M. Nixon: Politician, President, Administrator*, ed. Leon Friedman and William Levantrosser, 159–72 (Westport, Conn.: Greenwood Press, 1991), 271–72.

85. David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); Linder, *Wars of Attrition*; Herbert Northrup, *Double-breasted Operations and Pre-Hire Agreements in Construction: The Facts and the Law* (Philadelphia: University of Pennsylvania, 1987); Kris Paap, *Working Construction: Why White Working Class Men Put Themselves—and the Labor Movement—In Harm’s Way* (Ithaca: Cornell University Press, 2006).

7. FROM JOBS TO POWER

1. “Pressure On for Minority Trainee Jobs by Monday,” *Seattle Post-Intelligencer*, June 10, 1972, A-1.

2. *United States v. Ironworkers, Local 86*, Civil Case 8618, June 5, 1970.

3. “UCWA Struggle: Understanding How to Win,” *Seattle Flag*, July 5, 1972, 32.

4. Minutes of the Court Order Advisory Committee [hereafter COAC Minutes], June 7, 1972, folder “1972 Minutes,” box 12, Tyree Scott Papers [hereafter TS], University of Washington Libraries Special Collections [hereafter UWSC].

5. “Scott Pledges a New Site Closure,” *Seattle Post-Intelligencer*, June 21, 1972, A-3.

6. Herbert Hill, “Labor Union Control of Job Training: A Critical Analysis of Apprenticeship Outreach Programs and the Hometown Plans,” Institute for Urban Affairs and Research, Howard University, 1974.

7. On Harlem Fight Back, see Gregory Butler, *Disunited Brotherhoods: Race, Racketeering and the Fall of the New York Construction Unions* (Lincoln: iUniverse, 2006). On the UCCW, see Mel King, *Chain of Change: Struggles for Black Community Development* (Boston: South End Press, 1981), 95–100, 169–94. On the UCWA, see William Little, “Community Organization and Leadership: A Case Study of Minority Workers in Seattle,” PhD diss., University of Washington, 1976); William Gould, *Black Workers in White Unions: Job Discrimination in the United States* (Ithaca: Cornell University Press, 1977), 338–62; Vanessa Tait, *Poor Workers’ Unions: Rebuilding Labor from Below* (Cambridge, Mass.: South End Press, 2005).

8. Interview with Michael Fox conducted by William Little, 1975, box 1, William A. Little Papers, Acc. 2610-3 [hereafter WL], UWSC.

9. Nancy MacLean, *Freedom Is Not Enough: The Opening of the American Workplace* (Cambridge, Mass.: Harvard University Press, 2006), 76; Hanes Walton, *When the Marching Stopped: The Politics of Civil Rights Regulatory Agencies* (Albany: SUNY Press, 1988); Bayard Rustin, “From Protest to Politics: The Future of the Civil Rights Movement,” in *To Redeem A Nation: A History and Anthology of the Civil Rights Movement*, ed. Thomas West (New York: Brandywine Press, 1993), 232–35; Paul Moreno, *From Direct Action to Affirmative Action: Fair Employment Law and Policy in America, 1933–1972* (Baton Rouge: Louisiana State University Press, 1997). MacLean misleadingly refers to all Title VII organizing as “movements for inclusion,” thereby overlooking the role of the left in organizing campaigns to enforce Title VII law; *Freedom Is Not Enough*, 332.

10. “4/6/49 Building Trades Council,” folder 21, box 34, Seattle Urban League Papers [hereafter SULP], UWSC.

11. Little, “Community Organization and Leadership,” 75; *Howard Lewis and Jettie J. Murray v. Ironworkers Local No. 86*, Washington State Board Against Discrimination Tribunal, March 12, 1969, 32, RG AR74-1-1, Washington State Archives, Olympia [hereafter WSA].

12. Deposition of Donald Kelly, box 102, Record Group (RG) 403, National Archives and Records Administration (NARA), Seattle.

13. Deposition of Junior Lee, box 102, RG 403, NARA, Seattle.
14. Deposition summary of Robert E Lucas, box 101, RG 403, NARA, Seattle.
15. *Howard Lewis and Jettie J. Murray v. Ironworkers Local No. 86*; letter to Donald Slaiman, March 20, 1969, Apprenticeship Series, RG 009-2, AFL-CIO Civil Rights Department Papers, unprocessed records at the George Meany Memorial Archives, Silver Spring, Md.; “Construction Men Plan March on Olympia,” *Seattle Post-Intelligencer*, October 14, 1969, 1.
16. Gould, *Black Workers in White Unions*, 338–40.
17. “2,000 White Workers March in Mass Protest,” *Seattle Times*, October 8, 1969, A-1.
18. “Options Paper: Seattle Project,” February 1, 1971, folder “Seattle Plan,” box 21, Records of Undersecretary Laurence Silberman, RG 174, NARA, College Park, Md.; “U.S. Files Suit against 5 Unions Here,” *Seattle Times*, October 31, 1969, 1.
19. Shultz to Evans, May 5, 1970, folder “WF-2 Inquiries & Information (May),” box 213, Records of Secretary George Shultz, RG 174, NARA, College Park, Md. Governor Evans’s staff wrote at the time, “Either by court action or through policies adopted by public agencies, or a combination, the unions are going to be forced to agree to more effective forms of affirmative action.” Glen Paschall to Jim Dolliver, September 25, 1969, folder, “Black Contractors Dispute 1969 Sept-Dec,” box 2S-2–600, Governor Dan Evans Papers [hereafter DEP], WSA.
20. “Judge William Lindberg Dies at 76 of Heart Attack,” *Seattle Post-Intelligencer*, December 16, 1981; Gould, *Black Workers in White Unions*, 340.
21. See, for instance, the diverse works of Arthur Blumrosen, F. Ray Marshall, Herbert Northrup, and Richard Rowan on apprenticeship and job training during the 1960s.
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23. Riemer, *Hard Hats*, 71, 32–33.
24. NBC Evening News, October 16, 1969, available at: Vanderbilt TV News Archive, <http://tvnews.vanderbilt.edu/>.
25. “An Idea Whose Time Has Come,” unpublished document, 6–7 (in author’s possession).
26. *Ibid.*
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30. Interview with Todd Hawkins by William Little, 1975, Seattle, Wash., box 1, WL, UWSC, 1.
31. My interview with Todd Hawkins, August 21, 2006, Seattle, Wash.
32. *Ibid.*
33. Arthur Dye to AFSC Executive Committee, July 21, 1972, Unprocessed Pacific Northwest Region Papers [hereafter PNW], American Friends Service Committee Archives, Philadelphia [hereafter AFSCA].
34. “An Idea Whose Time Has Come.”
35. Interview with Luvern Rieke by William Little, 1975, Seattle, Wash., box 1, WL, UWSC.

36. "Court Ordered Advisory Committee," August 15, 1972, folder 16, box 68, SULP, UWSC.

37. COAC Minutes, December 7, 1971, folder "1970-71: Minutes," and COAC Minutes, January 7, 1972, folder "1972 Minutes," box 12, TS, UWSC.

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39. "An Issue Whose Time Has Come."

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45. Interview with Scott #1, 11.

46. Interview with Michael Woo conducted by author and Nicole Grant, Seattle Civil Rights and Labor History Project, available at: <http://depts.washington.edu/civlir/woo.htm>.

47. Ibid.

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51. "UCWA Struggle: Understanding How to Win," 32; interview with Scott #6, 11-12.

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