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Women Miners' Fight for Parental Leave

Abstract

[Excerpt] In the late 1970s, for the first time in our nation's history, coal miners started getting pregnant.

In many cases, the mother had spent years fighting to get her coal mining job, fought against sexual harassment and discrimination in the mines, and worked hard to prove her competence and gain acceptance as a miner. For some, pregnancy forced them to quit their jobs, give up their seniority and lose their health insurance just when they needed it most. For others, pregnancy meant worries about the potential effects of mining on the fetus.

In response to this problem and to the dramatic need of their union brothers, a small band of women miners—constituting less than 2% of the United Mine Workers of America— developed a campaign for parental leave as a formal employee benefit. At a minimum, parental leave would allow mothers and fathers to safeguard their jobs and insurance coverage while taking adequate time off to safely bring children into the world and to care for them during serious illnesses.

The women miners have focused their campaign on two fronts simultaneously – building support for a parental leave clause in the UMWA contract and for federal legislation that would affect all working parents. Both approaches build on each other and connect with the efforts of women in other unions as momentum is gathering for a new approach to the relationship of family and work.

Keywords

union, labor movement, mining, gender, maternity, parental leave, United Mineworkers of America, UMWA



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Women Miners' Fight for Parental Leave

■ *Cosby Totten, Goldie Totten & June Rostan*

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The Coal Employment Project

The women miners' campaign for parental leave arose out of activities sponsored by the Coal Employment Project (CEP).

Founded in 1977, CEP is a non-profit organization that seeks to end discrimination against women in the mining industries of this country. CEP has been on the front lines of struggles to ensure equal employment and to improve health and safety in the mines by:

- bringing class action suits for women discriminated against in the industry,
- documenting the problem of sexual harassment,
- sponsoring training programs for potential women miners,
- working to strengthen union locals,
- forming support groups, and
- documenting the experiences of women working in mines while pregnant.

For many women miners, the major event of the year is the annual meeting of the National Conference of Women Miners, sponsored by the CEP since 1979. The conferences provide opportunities for women to discuss their successes and problems and to plan for the future. Women miners organize and run workshops on mine health and safety, sexual harassment, support groups, sex and race discrimination, assertiveness, strengthening the union, childcare, and parental leave. Participants help CEP set its priorities for the following year.

CEP and Parental Leave

Parental leave is a priority issue for CEP in the 1980s. Women miners at every national conference have passed a resolution in favor of some sort of parental leave.

The initial resolution in 1979 called for "maternity leave," but this was changed to include "paternity leave" in 1981, and then the phrase "parental leave" was adopted. The women miners' proposal calls for mothers and fathers to take leave because of the birth, adoption or serious illness of a child with assurance that their jobs will be available, with seniority intact, when they return to work. The leave could extend for as long as six months, and health insurance would continue to be paid by the employer during the leave period.

Some form of parental leave has been negotiated by a few unions or has been provided for professional employees. Some employers are lenient in allowing individual workers time off to respond to family problems. But parental leave has not been a formalized employee benefit in most workplaces. Changes since World War II within the American workforce now make it necessary to formalize the rights and responsibilities of employers and employees in this area.

According to the Bureau of Labor Statistics, six out of ten mothers with preschool or school-age children are now working—a 50% increase just since 1970, when the figure was four out of ten. This means that more than 32 million children, well over half of all children under 18 in the U.S., now have a mother in the labor force.

With statistics like these to back up their own personal experiences, women miners and CEP launched their campaign for parental leave.

Getting It in the Union Contract

In December 1982, a parental leave coordinator joined the CEP staff and brought with her the knowledge of how different unions worked. Even though parental leave had been on the minds of women miners for several years, the CEP staff and women miner leaders realized that good intentions and resolutions alone would not magically place a parental leave clause in the 1984 contract with the Bituminous Coal Operators Association (BCOA). It would take a well-organized and well-timed campaign to make parental leave a serious bargaining issue in the 1984 national negotiations.

Women miners would have to convince the UMWA and the industry that it was in their best interests, or at least that it would be politically expedient, to incorporate such a clause in the contract. The outlook was not rosy. Clearly, this was perceived as a "women's issue." And, the climate for making advances on behalf of workers in the collective bargaining arena definitely was not good.

In April 1983, CEP held a workshop and strategy meeting with 17 women miners representing the majority of the UMWA's 21 districts. There, women miners studied the UMWA Constitution and the collective bargaining process, drafted contract language, and developed a strategy to win the union's support.

The campaign was designed so that, even if it did not achieve a clause in the UMWA's national contract, the campaign itself would serve as good leadership training. Women miners learned, by using the hands-on method, how to use the UMWA Constitution and the contract process to put forth issues important to the female members of one of the nation's most visible and male-dominated labor unions. The women miners also learned organizing, media, public speaking, and political skills. All of these skills increased their participation in their unions and communities.

The goal was to make parental leave a politically powerful issue so that the UMWA International Convention, which preceded the contract negotiations, would adopt a demand for the clause. In order for this to be done, the male membership had to be educated.

The women sought, and got, the support of UMWA International Vice President Cecil Roberts. In his words, "Reproduction is a necessary and crucial activity. Employers should be forced to recognize this point." With his encouragement, the women met with officials in their home districts to explain the issue, why parental leave was needed, and to seek the officials' support.

In their home districts, the women carried out their strategy of getting parental leave resolutions passed by as many locals as possible and getting elected as delegates to district conventions, where contract proposals and priorities are hammered out for national bargaining. The coordinators identified at least one man in their district that had need of a parental leave policy. Then, when discussing why the union needed to push for parental leave, at least one case history from their area could be discussed. For example, a well-known union man had a son who was diagnosed with leukemia. If he had not been laid off, he would have been fired because he had to transport his son for treatment. As in most coal mining communities, centers for diseases such as leukemia are located far from home.

When women did not run as delegates, they made their views on parental leave known to the local delegates and then kept the pressure on them to make it a priority. UMWA women tried to involve as many women miners as possible and tailored their strategies to the particular needs and political differences in each district.

The majority of male rank-and-file miners come from communities where family needs are a high priority. The women miners approached the men not with the attitude of "We need—give it to us!", but instead they asked the men: "What if it were you? What if your baby was born with a defect? What if your wife, mother, sister or daughter was working in the mines and needed time off to take care of her child?"

Only one district union official expressed anger over the policy to the women miners. The male membership of the UMWA had already accepted women miners as part of their union, and the new administration of Richard Trumka added more respect for women miners. By working their way through the channels of negotiations, the women gained even more respect by not demanding, just asking. By gaining international leadership support first and then working their way down the ladder to the districts and locals, the women miners assured themselves that at least the matter would be dealt with seriously.

All this organizing, agitating and lobbying paid off when the UMWA Convention in December 1983 unanimously adopted a parental leave clause as a contract demand in the upcoming negotiations with the BCOA.

In the 1984 negotiations for the national coal contract, parental leave was one of the few union demands that was aggressively pursued in addition to the difficult task of securing a contract that met the membership's directive of "No backward steps and no take-aways and advances in job security protection." The coal operators, of course, had different ideas. They wanted major concessions in wages, leave time, and insurance benefits. They did not waiver from their position until shortly before a settlement was reached and a nationwide coal strike was averted for the first time in recent UMWA history.

The UMWA had sought a parental leave provision that entitled a father or mother to a six-month unpaid leave for the care of a newborn, newly adopted or seriously ill child. As zero hour approached for settlement, however, it was clear the operators were not prepared to concede on this demand. As their chairman put it, "If it costs one penny, it's unacceptable."

The union's negotiating committee still persisted, however, and ultimately secured, at the last minute, a special joint study committee on parental leave. The committee was instructed to issue a report on the feasibility and specifics of such a program after examining all aspects of it. The following excerpt from the UMWA Report on the findings of the committee illustrates the conclusions that the committee agreed upon:

"It is clear that a parental leave program would add some cost to the mining of coal. The UMWA representatives believe that such additional costs would be minimal and offset by cost savings due to reduction of stress-related accidents, retention of experienced miners (particularly female miners who might otherwise be forced to quit) and improved employee morale. The BCOA members, on the other hand, expressed concern that the costs could be substantial, thereby further eroding the competitive posture of BCOA-mined coal with its domestic and foreign competition, as well as having negative impacts on safety and productivity. However, all Committee members agreed that the lack of empirical data prevents confirmation of the precise factors (e.g., safety, productivity, and economic costs) which the Committee was assigned to determine."

The women miners did not expect to get this far. When news came that the UMWA and BCOA had signed a letter of intent to study parental leave, the women celebrated. To work a resolution through from stage one to having it acted upon by the Negotiating Team is an achievement that made the women proud of themselves and their union. This puts the women in good shape to rev up their campaign for parental leave during the current contract talks and possibly achieve their long-term goal this time around.

The Legislative Arena

As the women miners were concluding their 1984 contract campaign, talk was starting to brew among national women's and labor groups that federal legislation should be introduced to assure a minimum standard of parental and disability leave for all working parents.

CEP officially became involved in the national legislative effort in September 1984 by meeting with representatives of other women's organizations in Washington, D.C. Before that meeting was concluded, the group had decided to expand their own demands for federal legislation to include "serious illness of a child," based on the model developed by women miners.

The national women's leaders credited the women miners' campaign with playing a key role in the development of their parental leave efforts. Close to 200 organizations signed on to sponsor the legislation, and CEP worked closely with many of them, including the Women's Legal Defense Fund, the Junior League and the Coalition of Labor Union Women (CLUW).

From the beginning the coalition realized that to get federal

legislation would take a long hard campaign, but they also felt that if the issue could be firmly brought up the ladder through the collective bargaining arena in the meantime, the odds would be greatly increased for ultimately getting strong legislation. With impetus coming from women unionists and supported by CLUW, many other unions are now bargaining for parental leave clauses in their contracts.

Beginning in April 1985 legislation was introduced in Congress mandating employers to provide unpaid parental leave. Initially introduced by Rep. Patricia Schroeder (D-Colorado) in the House and Sen. Christopher Dodd (D-Connecticut) in the Senate, the legislation is now called the Family & Medical Leave Act. It would require employers to provide 18 weeks of job-protected parental leave.

Conclusion

At the 9th annual National Conference of Women Miners last summer, UMWA President Richard Trumka praised the women miners for championing the idea of parental leave. "Parental leave is a critical need for working couples," he said. "No individual should be forced to make a choice between job and family." He confirmed parental leave as a major bargaining goal in the coal negotiations in 1988, and he urged the women to stay actively involved in their communities and with other unions to rally broad-based support for national legislation.

The UMWA women, who make up little more than 1% of their union's membership, have clearly gained the support of their union brothers and top officials on this important issue. The UMWA and the labor movement in general are key forces in pushing this issue, with action both at the bargaining table and in Congress.

The issue of parental leave is not just building steam, but rather is ready to explode as a national policy issue. It can be an opening to redefine the relation of family and work in a changing workforce, exposing the hollow "family" rhetoric of the Reagan era and its contempt for working women and the real problems of the American family.

The issue has won a permanent place in the minds and hearts of women miners as a goal and organizing strategy for the 1980s. They won't quit until they win, no matter how long it takes. Along the way, they will learn more about themselves and their organizing abilities, and there's no telling what they can accomplish in their union, in the mines, and in their communities. ■