

24

KATHERINE PHILIPS EDSON AND
CALIFORNIA'S INDUSTRIAL WELFARE COMMISSION,
1913-1931

by

SUSAN DIANE CASEMENT

B.A., Ottawa University, 1972
M.L.S., University of Texas at Austin, 1979

A THESIS

submitted in partial fulfillment of the
requirements for the degree
MASTER OF ARTS

History

KANSAS STATE UNIVERSITY
Manhattan, Kansas

1987

Approved by:

Homer E. Socolofsky
Major Professor

LD
2668
.T4
HIST
1987
C 37
C. 2

111207 306709

ACKNOWLEDGMENTS

This study would not have begun without the insistence of Homer Socolofsky, my major professor, on the value of writing a thesis. It might not have been finished had he not offered prompt, dependable, positive advice. I appreciate the focused and valuable discussion with and suggestions made by him and Sandra Coyner and Jan Flora, the other two members of my committee. They helped me finish the project with pleasure and correct some of the more glaring shortcomings.

I owe most special thanks to Karla Yates and the staff of the Industrial Welfare Commission, who went out of their ways to furnish relevant files and make my research easy. I am grateful for the special collections departments in the UCLA and Stanford Libraries, and for the Bancroft Library, which store and access a wealth of materials that continue to speak with relevance to the human experience.

I am pleased to be a part of the University of California, Davis library system which not only supplied many of my secondary sources -- special thanks to the Government Documents Department -- but also granted professional development time for a portion of the days spent in San Francisco and Los Angeles.

The support of friends and colleagues, along with that of family, keeps me going. To David Stoll, my deep gratitude for being positive, for making excellent editorial suggestions, for the companionship -- and for sometimes sharing the computer.

TABLE OF CONTENTS

| Chapter | Page |
|---|------|
| 1 Introduction | 1 |
| 2 Katherine Philips Edson | 6 |
| 3 The Commission Begins Its Work. | 33 |
| 4 The Cost of Proper and Healthful Living | 45 |
| 5 Fruit and Vegetable Canning | 58 |
| 6 Other Agricultural Industries | 88 |
| 7 Governmental Relations | 103 |
| 8 Edson as a Peer to Males | 114 |
| 9 Conclusion | 130 |
| Bibliography. | 135 |
| Appendices | |
| A Cost of Living | 142 |
| B Wage Orders. | 143 |
| C Private Conferences with Employers | 149 |
| D Conferees in the Canning Industry | 151 |
| E Inspections of Agricultural Industries | 153 |
| F Law | 154 |
| G Biography | 161 |

CHAPTER 1

INTRODUCTION

In 1910 a coalition of progressive Republicans came to power in the state of California. The Southern Pacific Railroad and its boss system, depicted in Frank Norris' novel The Octopus, had faced repeated challenges at the polls during the first decade of the century. The defeat of the railroad's candidates was due not to the emergence of a stronger political machine or to a popular reaction against hard times, but to the same enthusiasm for reform fueling Teddy Roosevelt's Bull Moose Party and Senator LaFollette's political organization in Wisconsin.

In California, the first Progressive political group organized in Los Angeles in 1906. Nonpartisan, although consisting chiefly of Republicans, it passed the referendum, petition, and recall measures for Los Angeles. A statewide Progressive organization came together in 1907 and won half the seats in the 1908 legislature. In the 1909 elections, Progressive candidates took the governorship as well as the legislature. With their installation in 1910, the complexion of state politics changed dramatically.

A great sense of hope infused the administration (1910-1917) of California's progressive governor, Hiram Johnson. Under his administration the number of regulatory commissions multiplied, establishing California's "commission form of government." Serving on these commissions were representative and knowledgeable citizens charged with overseeing the public welfare in areas such as railroads, employment, and road planning.

One such commission was dedicated to improving conditions for working women. The plight of the working girl was a focus of reform sentiment among women, and Teddy Roosevelt, recognizing its popularity, had made minimum wage for women part of his Progressive platform in 1912. That same year Massachusetts passed the first state minimum wage law for women; seven other states followed suit in 1913, including California.

The California statute, like that of other states, followed the model minimum wage law prepared by Florence Kelley of the National Consumers League. It required the payment of a living wage to female workers and established an agency, the Industrial Welfare Commission (IWC), to enforce minimum wage rates and regulate conditions and hours of work. The California commission consisted of five appointed commissioners, two each from labor and business, plus one in representation of the general public. Symptomatic of what was considered advanced thinking at the time, at least one commissioner of this body dedicated to overseeing female employment was to be female.

Katherine Phillips Edson, a clubwoman of Los Angeles who had managed campaigns to reform local government and was active in both the Los Angeles County and the State Republican Conventions, lobbied the bill through the legislature. Edson¹ was the first woman appointed to the IWC, and for the next seventeen years she was the only one. As the commission's executive officer from 1916 to 1931, she guided its regulatory and enforcement tasks. In 1931 a hostile new governor appointed another woman to direct the agency; Edson left the commission when her

¹ Katherine Phillips Edson objected when her maiden name, Philips, was dropped from public references to her. In this thesis "Edson" will commonly refer to her, with apologies to her memory.

appointment lapsed later that year. This study focuses on how Edson, as a woman entering the former male preserve of politics, and as an administrator in a volatile field, shaped the path of a commission which still exists.

Much of the IWC's success in its early years can be attributed to Edson. She drafted bills and constitutional amendments, lobbied the legislature, campaigned for support through women's groups, and ran an organization with some twenty employees, two offices, and geographically-dispersed responsibilities. Employers cooperated and came to agreements with their employees at meetings of advisory wage boards which Edson usually chaired.

A 1928 study by the U.S. Women's Bureau judged California's minimum wage agency to be more successful than similar agencies in other states.² The effectiveness of the IWC under Edson's leadership -- during a time when the minimum wage faced constitutional challenges in state and national courts -- stems from a combination of factors. There was a stable, active core of commissioners, including one influential within the business community. Favorable economic conditions and a readiness for social reform reigned in the start-up period. Yet a decade later, in downswings of the business cycle, most California businesses continued to adhere to minimum wage standards as an enlightened business practice. California's working women benefitted from the highest minimum wage in the United States. Working conditions were improved, and the eight hour day came to agricultural industries along with overtime rates which all but did away with

² U.S. Department of Labor, The development of minimum wage laws in the United States, 1912 to 1927 (Washington, 1928. (Bulletin of the Women's Bureau ; 61)), p. 156.

work days longer than twelve hours. Industry supported IWC budget requests and lobbied governors for Edson's reappointment because the IWC brought order to the labor market.

The IWC had failures during Edson's eighteen years, most noticeably a 1921-22 fiasco in which a lowering of the minimum wage had to be reversed and all orders were declared technically defective and void. More seriously, the commission failed to maintain compliance of the southern California canners after 1925. Although the southern canners represented only fifteen percent of the state's production, after 1931 some of their northern counterparts stopped complying as well. The hard times of the Depression and, from 1931, new IWC leadership brought a period of impotence to the agency.

The agricultural industries were the major employers of women in the state and were also the most difficult to regulate. This study explores how the IWC worked among agricultural industries, particularly the canning industry which the commission considered critical to its success, as well as the green and dried fruit and vegetable packing industry, the fish canning industry, and miscellaneous agricultural occupations.

Among the characteristics which distinguished agricultural industries from others which the IWC regulated -- including laundries, hotels and restaurants, manufacturing, and mercantile stores -- were the perishability and price volatility typical of agricultural commodities, seasonal labor which might be migrant or foreign-born, and geographical dispersion. These differences had helped agricultural interests gain exclusion from the eight-hour law which regulated the work week of California women since 1912. The fact that employees in agricultural industries were less visible than in

the mercantile trade and professional offices meant less social pressure on their employers for a living wage and good working conditions.

Various methods were used in regulating different agricultural industries. Some, such as the effort to regulate the cutting of fruit for drying, were soon dropped entirely. Others, like the canning audit, proved so successful that other industries also requested that method, which allowed businesses considerable freedom while protecting worker interests and keeping the state's regulatory costs to a minimum.

Chapter two recounts Edson's experiences leading up to and during her 1916-31 management of the IWC, especially the accumulation of political influence to a degree achieved by few women in her era. Chapter three traces the commission's steps to its first regulatory order, while chapter four outlines the principles behind its minimum wage orders, the most controversial and difficult portion of its regulatory task. Chapter five follows the commission's luck and peregrinations in regulating the canning industry, the major employer of women in California, while chapter six deals with the other agricultural industries into which the IWC intruded. Chapter seven describes the interactions of the IWC with other state bodies, reflective of the larger political arena in which the commission operated. Chapter eight examines Edson's relationships with male colleagues. The concluding chapter includes a brief description of the IWC in the first post-Edson years and its impact relative to national minimum wage legislation, passed in 1934.

Chapter 2

KATHERINE PHILIPS EDSON

FAMILY LIFE

Katherine Philips went from a comfortable family home in Ohio, toward a youthful dream of opera in Chicago, to dryland agriculture and then politics in California. Born on 12 January 1870 to Harriet J. Carlin, second wife of William Hunter Philips, M.D., Katherine studied in the public schools of Kenton, Ohio until fourteen. She spent an additional year at the Convent of Sacred Heart in Clifton, and six months at Glendale Female Seminary. For voice training she headed to Chicago, where she met Charles Farwell Edson, a fellow musician, whom she married in 1890.

The newlyweds hoped to study music in Europe and thought to finance the trip with earnings from a few years of farming in Charles' native California. With money borrowed from wealthy relatives, he invested in a ranch to which the couple and his parents moved.¹ They spent the next nine years growing nuts and raising cattle in the sparsely populated Antelope Valley, a semi-arid basin forty miles north of the city of Los Angeles, nestled against the Tehachapi Mountains which divide southern and northern California. Katherine helped with the ranch work and reared the first two of their three children.

Nine years of unusually low rainfall parched the Edsons' visions of European study. The ranch's lack of success prompted the couple to move to Los Angeles, where Charles Farwell Edson directed music in a medical

¹ Jacqueline R. Braitman, "A California Stateswoman: the public career of Katherine Philips Edson," California History 65(2):82.

institution and gave private lessons. His mother helped support the family, playing a role which Katherine resented.² There Katherine became active in women's clubs, then in the pure milk movement and Progressive politics. In 1912 as her two sons approached college age, she took a respectable government job to help finance the boys' education. After appointment in 1916 as executive officer of the IWC, she established a second residence close to its San Francisco headquarters. Later she and her husband separated and, in 1925, divorced.

WOMEN'S CLUBS

Women's clubs, the vehicle for Edson's career, were much more significant in the cultural and civic affairs of the first decades of this century than they are today. They began as cultural and literary study clubs following the Civil War, then expanded to the study of social problems and claimed community reform as part of women's special sphere. They were a vehicle for middle and upper class women to develop an identity beyond that of homemaker -- to meet, challenge each other intellectually, and develop leadership skills.

Women organized in clubs were both a symptom of the women's movement and, for those so inclined, a way to work for social change. Women working for social reform composed an important part of the Progressive Movement; their aims figured prominently in the 1912 platform of Theodore Roosevelt. During the second decade of the twentieth century

² Helen V. Bary, "Labor administration and social security: A woman's life," an interview conducted by Jacqueline K. Parker (Berkeley: Regional Oral History Office, University of California, 1974), p. 51.

when women were getting the vote, club members educated each other on issues and spoke in a strong, united voice to male voters and legislators.

EDSON AS CLUBWOMAN, 1900-1909

Upon moving to Los Angeles in 1899, Edson joined the large and active Friday Morning Club, one of the city's two "rather exclusive" women's organizations with memberships over a thousand.³ Members called it one of the country's great women's clubs.

Within a year, Edson was secretary of the club. Over the next ten years she headed several committees, including those on public affairs, public health, and municipal problems. In this department-type club, committees worked as clubs within a club, with their own meetings and public programs. As a committee representative at the general meetings, Edson regularly reported on social conditions.

Like other club women concerned with social reform, Edson believed that while women's great purpose in life was the bearing and rearing of children, they had important interests outside the immediate family. In the larger family of society, it was their duty to call for healthy conditions, whether that involved challenging economic injustice, vice, or unclean foods. This Municipal Housekeeping philosophy was espoused in the Friday Morning Club and was prominent in the California Federation of Women's Clubs (CFWC), an umbrella organization of clubs.

³ Lissner to Johnson, 29 March 1912, Johnson papers. The other was the Ebell Club.

Edson joined other clubs too. She was a charter member of the Women's City Club which in 1912 had about five hundred members, and joined women's athletic clubs in Los Angeles and San Francisco, among others.

It was contaminated milk which ushered Edson into political activism in 1909, in league with a Dr. Firch Mattison. She pursued pure milk legislation for four years, representing the Friday Morning Club and acting as the campaign's executive secretary. The fact that women in that unsuccessful pre-suffrage movement were treated as supplicants, not full citizens, increased Edson's ambition to win the vote for her sex.⁴

POLITICAL PHILOSOPHY

Katherine Philips Edson regarded herself as a born politician. The household in which she was reared was politically-minded household: her father was a member of the Ohio Constitutional Convention of 1873, and stood for, among other measures, woman suffrage and a health-certificate marriage, both issues for which his daughter later fought. At an uncle's house she watched Republican kingmakers like Sherman, Foraker, Hanna, and McKinley plan and plot on the front porch. Later she described her father as her greatest influence, despite his death when she was eighteen.⁵ One admirer described her career as an attempt to heal society in the same way her father healed the body.

Edson's political instincts lay dormant during her sojourn in Chicago, the city in which Hull House was being organized. She may have been too

⁴ Peter Clark MacFarlane, "A California 'stateslady'," *Colliers* 52(7): 6. Dora Haynes to Miss Philips (KPE's sister), 4 November 1933, Edson papers. Unless otherwise attributed, all primary or original sources cited hereafter are from the Edson papers.

The fight to test milk cows for tuberculosis won a reorganization of the Los Angeles Health Department in order to permit action, but fell short of achieving her Los Angeles County pure milk campaign's main goal. The 1912 referendum -- with women voting -- lost by 4,000 votes.

⁵ Edson to Lissner, 24 December 1915, Lissner papers.

busy falling in love to notice the incipient social reform movement, for her papers hold no mention of it. In the sparsely-populated Antelope Valley, political activism required more than the normal dose of physical stamina. The issue which engaged her sufficiently to make that effort worthwhile -- suffrage -- came to a vote in 1896 during her second pregnancy. Thus it was the politically progressive Mr. Edson who rode that campaign trail in a vain attempt to pass the measure.

Shortly before leaving the rural valley, Katherine Philips Edson attended a meeting of the Friday Morning Club in Los Angeles. It inspired her to organize the Antelope Valley Institute, a field day in which residents shared techniques and new discoveries for better living and discussed civic concerns. A successful one-time event, it was her first recorded effort in cooperative social improvement and swan song to the valley.

Edson's concept of politics was practical and constructive. The idea was to make a state and nation in which life was wholesome, safe, fair, and just -- "of the whole community engaged in the common enterprise of taking care of its own life."⁶ To that end, Edson was prepared to accept partial solutions. Her pragmatic approach is illustrated in her "unqualified" support of a child labor bill, despite what she considered major design flaws, as a step in the right direction.⁷ Edson's concern with correcting the causes of human misery is illustrated by her remarks at the 1921-1922 Conference on Armament, to which President Harding appointed her in an advisory capacity. Thanking God that the peacemakers were entering "the realm of practical idealism," she reported that "I prefer to deal with a cause . . .

⁶ Rev. Theodore Gerald Soares, "Tribute in memory of Katherine Philips Edson," 7 November 1933, Edson papers.

⁷ Edson to Johnson, 25 May 1915.

Keeping the wolf from the door means more to man than keeping the 'open door' open To my mind . . . raising the hopes and aims of the toiler, will do more to bring peace on earth and good will toward men than scrapping every battleship afloat."⁸

Among women Edson was a great preacher of political activism; she felt they had to attend to their own social goals, not delegate them to males. In 1916 she presented a subscription series of eight Saturday afternoon lectures on local, state, and national government. According to a press report, Edson was "well known, having marked success in this field because of her forceful personality and pleasing directness of speech Her work is enhanced by a quality so rare in women, the political instinct." Another notice described her as dispassionate.⁹ She believed that women should take sides politically and criticized as "exceedingly bad" the "neutral and non-partisan idea" of the proposed League of Women Voters.¹⁰ But later she helped organize the California section of the League, and worked to emphasize the need of women's active participation in partisan activity. She warned women to "understand that they must not depend upon personal friends among men to see that they are put on committees and are part of the political organization of the State, but that they must go through the

⁸ "The four women helping to solve international problems and what they think" Philadelphia Public Ledger, magazine section, 18 December 1921. "Living wage to end war," Santa Cruz News, 5 November 1921.

⁹ Mrs. Ruth Sterry. Press notice in Los Angeles Tribune and Santa Paula Chronicle, quoted in flyer advertising Civics or Methods of Government: lectures and instruction by Mrs. Charles Farwell Edson, Edson papers.

¹⁰ Edson to Mrs. Gifford Pinchot, 27 November 1920.

regular routine of petitions provided by law, to attend conventions and take part in the regular party technique and not depend upon our friends."¹¹

Edson labored for the progressive Republicans. She regularly hit the campaign trail for Hiram Johnson who, early in his political career, led the practical idealists. In 1914 she told Governor Johnson how to announce her speaking engagements in Northern California to boost his administration: she should be described as an "expert on industrial questions, through my connection with the Bureau of Labor and the Industrial Welfare Commission; . . . I have been recognized as such by the California Federation of Women's Clubs, who have made me their State Chairman on Social and Industrial Conditions." "If the women thought I was coming in as a politician," she explained, "I would have no influence." Her favorite subjects were the industrial question, the minimum wage as a protection for motherhood and the child, and the Red Light Abatement Act. "I told them it is either constructive, just legislation," she reported, "or the alternative would be direct action and the McNamaras. It is for California to take its choice."¹² She brought politics into club conventions too. Reflecting on her committee's programs at the 1914 CFWC convention -- which featured Carleton Parker and Mary Gibson of the Immigration and Housing Commission, and Chester Rowell of the Fresno Republican -- she laughed, "I think we have got about

¹¹ Edson to Mrs. Medill McCormick, 9 December 1920.

¹² The McNamaras, two trade unionists, were prosecuted for murder following the dynamiting of the Los Angeles Times, an anti-union establishment, in 1910.

Edson to Johnson, 29 January 1914, reporting on her speech to a churchful of people at Pomona on a Sunday night, an event organized by women's clubs. Her schedule then included eight lectures in February and three in March.

as much Progressive doctrine as most any State Progressive Convention could stand."¹³

BROADENING BASES

Early exercises in lobbying and negotiation, carried out by Edson as a representative of women's clubs, brought her abilities to the attention of other groups. The clean milk campaign led to her appointment to the Los Angeles Charter Revision Commission, where she chaired the subcommittee on direct legislation. Because of her civic work, she was elected in 1912 to the Council of the National Municipal League, where she worked with Meyer Lissner, a Los Angeles lawyer, leader in the Progressive Party, and confidant of Governor Johnson. Over the next decade, Lissner served as Edson's political mentor and arranged her initial appointment to the Bureau of Labor Statistics in 1912.¹⁴

In the Bureau of Labor Statistics Edson concentrated on public education. Despite her title of special investigator, she spent more effort reporting to the public on the working conditions of employed women than on investigations. The job included two to four addresses a month for women's clubs anywhere between Los Angeles and San Jose.¹⁵

¹³ Edson to Johnson, 18 April 1914. Her statement may have been so strong because Johnson needed reassurance and support. She also recruited Ira Cross, Judge Willis I. Morrison, Mrs. Frances N. Noel, and Harry Scheel -- persons of more varied and less actively Progressive affiliation.

¹⁴ Edson was the first elected woman on the National Municipal League Council, and the second woman, joining the appointed Jane Addams.

¹⁵ Bary, "Labor administration," p. 50. Edson to Mrs. Orr, 11 December 1913.

THE CALIFORNIA SUFFRAGE CAMPAIGN, 1909-1911

Women made suffrage an issue in the 1909 legislative elections. Then, with a majority of newly-elected legislators committed to suffrage, Edson and other women lobbied in Sacramento for a referendum on suffrage. It was largely in response to Edson's clear exposition of the issue that the State Assembly put it on the 1911 ballot. Mrs. John Hyde Braly recalled Edson "working daily with intense earnestness and with a rare tact and modesty which made her work most effective in many ways."¹⁶

During the eight months before the 1911 plebiscite Edson spoke in fifty-eight towns, organized suffrage clubs, and tried to propagate her vision of strong women curing social ills which males overlooked. After the 1896 defeat of women's suffrage, she had realized that what to her seemed the only reasonable stance was not compelling to women who felt comfortable in a sheltered social role. Education was therefore the key to winning the vote for women.¹⁷

In Los Angeles Edson chaired the organizational committee of the Political Equality League, started by Friday Morning Club leaders and then reinforced by a group of male allies.¹⁸ The League's general secretary, Helen Bary, was a clear-headed, working-class reformer who Edson later employed for the IWC, first as her Southern California assistant, and then in San Francisco.

¹⁶ MacFarlane, "A California 'stateslady'," p. 6. Los Angeles Evening Express, 2 February 1911. Braly, "Memory pictures" notes in Edson papers, 235, box 4, folder 2.

California ratified the Suffrage Amendment to the U.S. Constitution 10 October 1911.

¹⁷ Bary to Edson, 19 January 1916. Edson to Marion J. Harron, undated.

¹⁸ Bary, "Labor administration," p. 17-24.

After state suffrage passed, Edson continued to campaign for national suffrage by pushing resolutions through the Los Angeles County and State Republican Conventions. At the 1912 convention of the national General Federation of Women's Clubs, held in San Francisco, she played agitator. From the floor she presented a resolution which the executive board wanted to smother: endorse the principle of equal suffrage. It sent the house into an uproar. The chair declared the resolution "not germane to the federation work" and out-of-order.¹⁹

CLUB WOMEN AND THE PASSAGE OF THE MINIMUM WAGE BILL

Although Edson was interested in a variety of social issues, her focus on working women probably owed to Florence Kelley. Kelley lived at Hull House from 1891 to 1899, then managed the New York-based Consumers' League, which organized consumers to press for improved business practices, including reform of child and women's labor. A charismatic figure, Kelley accepted Edson's 1909 speaking invitation for the Friday Morning Club. Edson may have first heard from Kelley the philosophy she adopted, of dealing with causes, which had been voiced by Josephine Shaw Lowell, the first president of the Consumers' League; Lowell wanted to help the working

¹⁹ Despite the resolution's defeat, a newspaper reported that Edson greatly aided the cause of suffrage by forcing recognition of the issue. The president later told the press that while the majority of the clubs supported suffrage, she was unwilling to allow the suffrage issue to split off the less enlightened ones and thus lose their support for other progressive issues. "Club women in session cheer for suffrage," Los Angeles Examiner, 6 July 1912.

people, the majority of the whole people, rather than give charity to the broken-down paupers.²⁰

To protect those women forced to work, Edson developed legislative proposals for minimum wage and other protective legislation; support from the women's clubs passed the bills. In 1912, as a member of the CFWC executive board, she helped draft the Federation's first legislative platform, then in 1913 joined the Women's Legislative Council of California, a small lobby which the CFWC funded. Headquartered in the mezzanine of the Hotel Sacramento one block from the Capitol, Edson and half a dozen other women who constituted the Council worked to convince legislators to enact the CFWC platform.²¹

Meanwhile, Edson urged the federated clubs to discuss and support several "municipal housekeeping" measures, including minimum wage for

²⁰ Bary, "Labor administration," p. 48. Kelley wrote that she would be glad to speak, preferring to talk on votes for women, but could speak on child labor or working women. (Kelley to Edson, 3 August 1909). William Rhinelander Stewart, The philanthropic work of Josephine Shaw Lowell (New York, 1911), p. 358, quoted by William L. O'Neill, Everyone was brave (Chicago, Quadrangle, 1969), p. 96.

²¹ The platform also called for health certification for marriage; joint guardianship; community property; compensation for mothers; maternity homes; psychopathic parole societies; state registration of nurses; a women's building at the State Fair; Iowa Injunction and Abatement Act; a state training school for girls; raising to twenty-one the age of majority for women; ethical, vocational and hygienic training in the public schools; tuberculin testing for dairies; compelling fathers to support illegitimate children; enforcing child protection laws; conservation, and civil service reform at the state level. At the federal level they supported uniform marriage and divorce laws; conservation of womanhood, childhood, home (a welfare measure?); employers' liability and workmen's compensation act; and peace measures. Edson papers.

women. Her 1913 leaflet, "Industrial and Social Conditions," asked the president of each club in the California Federation of Women's Clubs to "appoint a committee of two or more wise, brave women to make a survey" of the local community's industrial wages, hours, working conditions; workers' cost of living and savings; domestics' working conditions; pool halls, liquor, and prostitution. The survey's aim was to convince local women's groups of the need for various measures before the legislature -- the Workman's Compensation Act, the Minimum Wage Law for Women and Children, and the Red Light Abatement Bill. Edson asked for reports by 1 April 1914, suggested a number of readings necessary for "every woman who wants to be alive and up-to-date," and stated that she would be glad to speak to clubs "within my reach for my traveling expenses."²²

While clubs investigated local conditions, Edson was shepherding through the 1913 legislature its Assembly Bill number 1251, the minimum wage bill. Based on the belief that "our potential motherhood" must be paid living wages, the bill incorporated Edson's revisions to the Consumers' League model bill, which in turn drew on British and Australian experience. It provided that women and children should be paid not less than the necessary cost of proper and healthful living, and that an Industrial Welfare

²² Suggested readings included: "The spirit of youth and the city streets," by Jane Addams; two books on prostitution; Survey Magazine (at \$2 per year, "no community can afford to be without" it); "Life and labor," by the National Women's Trade Union League; "Task of social hygiene," by Havelock Ellis; "The new democracy," by Walter Weyl; and "Woman and labor," by Olive Schreiner. Edson papers.

Commission would be created to set minimum wages, maximum hours, and working conditions in the various industries.²³

The main supporters of Assembly Bill 1251 -- the state's women's clubs, the churches, and the prohibitionists -- made themselves heard. With women's suffrage, women's organizations became the most potent political coalition in the state on moral issues, displacing the formerly powerful racetrack owners.²⁴ Still, the women's lobby could not have pushed the bill through on their own because, strangely enough, it was opposed by the labor unions.

Organized labor did not want its own advocacy and guardianship role eroded in workers' eyes. California unions were concentrated in the San Francisco area, were dominated by Catholics who opposed women's employment, and were paternalistic rather than socialist in tone. Labor leaders had virtually no women workers in their ranks, feared that ameliorated conditions would undermine their organizing drives, and charged that the minimum wage would become the maximum.

While Edson favored well-organized unions, she also recognized that unionization was not likely among women. For them, she argued, "the government must stand *in loco parentis* must take the place of the trade union."²⁵

The governor supported minimum wage. Hiram Johnson, Teddy Roosevelt's 1912 running-mate, put it into his "Ten Commandments" to the

²³ Seven states passed similar laws that year, following the Massachusetts example of 1912.

²⁴ Franklin Hichborn, Story of the session of the California legislature of 1913 (San Francisco: James H. Barry, 1913), p. 14.

²⁵ "Minimum wage laws absolutely necessary, says Mrs. C. F. Edson," Washington Times, 1 March 1915.

California legislature of 1913. A Senator Brown introduced the Senate bill and testified that "if any industry in California employing women cannot pay its employees a wage sufficiently large to permit them to live decently, the State is better off without such industry."²⁶

Certain businessmen -- owners of leading stores -- backed the proposal for more pragmatic reasons. Women's working conditions had been the subject of muckrakers and feminist journalists since the end of the nineteenth century. The issue had become notorious following the 1911 New York Triangle Shirtwaist Company fire. The Chicago vice squad suggested that low wages were forcing store clerks into prostitution to cover living expenses, while a federal study documented surprisingly low wages for women and children, and a California study revealed similar conditions.²⁷ Merchants, however, could hardly afford to raise wages unilaterally and drive their costs above those of competitors. Industry-wide regulation of wages, however, would protect competitive positions. So while the merchants did not seek the bill and many employers opposed it, others, including the influential Harris Weinstock, made known that they did not think it such a bad idea. Weinstock, a prominent Sacramento agriculturalist,

²⁶ Franklin Hichborn, 1913 legislature, p. 352.

In the final weeks of the session, the relative power of the women's lobby increased: "The legislature had barred lobbyists for the rest of the session, and Mrs. Edson (near the most energetic of the lobby flock) was informed that she couldn't enter the chamber. Edson replied, 'Why, of course I can go in. I am a state officer; I am a deputy of the Labor Commission.' And she entered, her work made easier because she had the lobby all to herself." (Redlands Facts, 7 May 1913)

²⁷ U.S. Congress, Report on condition of women and child wage-earners in the United States, 61st Cong., 2d sess., S. Doc. 645 (1909-1910), 19 v. The California report was described in: Industrial Welfare Commission, Fourth report, 1919-1920, 1921-1922, p. 9.

businessman, and Progressive, supported the bill despite his sense, as he wrote Edson in 1912, that it had little chance between labor opposition and constitutional doubts.²⁸ At forty-two, however, Edson was willing to risk that failure.

Legislative inertia, along with unwillingness to cross labor and business interests, left Bill 1251 and hundreds of others without action in the last two weeks of the 1913 legislative session. But the masterful Governor Johnson pushed the minimum wage bill through just five days before adjournment. It passed the Assembly by a vote of forty-six to twelve, and the Senate by a vote of twenty-seven to seven.²⁹ The next year California voters approved a related constitutional amendment which supported the establishment of minimum wage for women and minors and allowed the legislature to delegate its powers to the commission.³⁰

Several planks of the CFWC's platform had passed into law. "I think I am not claiming too much," Edson wrote, "when I say that if it had not been for a resolution which I introduced in our State Federation of Women's Clubs

²⁸ H. Weinstock to Edson, 14 November 1912.

²⁹ The tenor of this week before adjournment is illustrated in the 6 May passage by the Senate of seventy-one bills, with amendments, in seventy minutes. To do so required one hundred five roll-calls of the forty members. (Hichborn, 1913 legislature, p. 132, 352)

³⁰ Section 17 1/2, article XX: "The legislature may, by appropriate legislation, provide for the establishment of a minimum wage for women and minors and may provide for the comfort, health, safety and general welfare of any and all employees. No provision of this constitution shall be construed as a limitation upon that authority of the legislature to confer upon any commission now or hereafter created such power and authority as the legislature may deem requisite to carry out the provisions of this section."

in the Spring of 1912 and the cooperation and support given to me by the organized women of this state, there would be no minimum wage in California at this time."³¹

EDSON'S STYLE AND PHILOSOPHY

Edson displayed the independence and self-confidence admired by feminists then and now. She traveled the state campaigning, and commuted between Los Angeles and San Francisco for several years. Her fearlessness -- "so huge and virile and brawny that one almost feels as though they [her listeners] don't dare be selfish or heedless or lazy any more" -- was described as her greatest quality by one newspaper; by another, her "remarkable faculty of charging her hearers with her own courage and her belief that a better order could be established."³²

Edson expected her political ideas to be taken seriously. She abdicated none of the traditional women's roles; rather she interpreted her activity as an extension of motherly roles from the family level to the social level -- from protecting her own three children to protecting the women and children of the state. In 1913 she responded to an inquiry by asserting that "housekeeping and homemaking are the great duties of every woman, but you cannot look after those without getting out of your home Just as we want to look out for our families we must have a voice in the larger problems of municipal housekeeping." She continued: "I do not make bread. Like any intelligent housekeeper I have it made in my own home, but I have

³¹ Edson to Catt, 14 March 1919.

³² "Social service", Vanguard-Sun (Venice, CA), 1917. Resolution by Women's Civic League executive board quoted in "Service told by League," Star-News (Pasadena), 29 November 1933 (clipping in Edson papers).

too many other and more important things to do to afford the time for making it myself."³³

Despite Edson's fight for full political participation, she sought no change in familial and emotional roles. Her womanly ideal included equilibrating the emotional sphere in social interaction and protecting male egos. "Anti" publications even quoted her to support their position because, out of context, her statements implied that she opposed suffrage. While Edson fought for suffrage, she avoided the larger feminist questions of economic and social equality, just as the majority of her colleagues did. The intervention of Eastern feminists in California's 1896 suffrage campaign had been disastrous because they had raised those issues. In the 1911 campaign, California suffragettes refused all their offers of campaign assistance. Edson and her allies saw themselves taking political leadership within their own sphere, not challenging men. "I don't know a woman in Southern California . . . who wants women to run for elective offices, or who would vote for a woman just because she is a woman, in preference to a man," Edson assured a male politician.³⁴ Focused as they were on cooperative social reform, these women could ignore the effects of their movement on males' individual power. "We are less personal than men," Edson said. "They are more

³³ Edson to Mrs. Thomas, 30 December 1913.

³⁴ Edson to Johnson, 20 May 1914. She explained the practicality of her position to a more ardent feminist in 1914, saying that there are only four fifths as many women as men in California, so women have to work with men since they could never carry any measure alone. (Edson to Mrs. I.A. Tucker Campbell, 14 October 1914)

interested in the election of men [i.e. individuals] than in the discussion and settlement of measures."³⁵

Suffrage opened up a whole new world for women to become involved in politics and, in her own way, Edson was one of the boldest in exploring it. She attempted to synthesize a new feminine role, combining the nurturing, positive, idealistic portions of her feminine identity with the savvy and tenacity of a traditional male leader. To satisfy herself, she needed to be an equal among the men she admired, an effective leader skilled in campaign and compromise, and recognized as an admirable woman. The women who were her role models were far away -- Florence Kelley of the National Consumers' League, Mrs. Raymond Robbins of the Women's Trade Union League, and Carrie Chapman Catt of the National American Woman Suffrage Association, the last "quite the greatest woman I have ever met."³⁶

Edson said that she got into her work with the Labor Bureau thinking that "I might be a sort of peacemaker." Appointed a contract mediator for the armed forces in WW1, she declared, "I do not want to mediate. I want to prevent the need of mediation."³⁷ Her educational bent stemmed from a belief in the goodness of humankind. "If I did not believe I could make women and men also grow to realize their responsibilities to those who are struggling for existence, the thousands who are living along on incredibly

³⁵ Edson, "California women's responsibilities to our disenfranchised sisters," speech at Congressional Union, San Francisco, 1 June 1915. Ms. in Edson papers. Emphasis hers.

³⁶ Edson told Robbins, "You will never know how much your acquaintance and friendship meant to me and does mean to me." Edson to Mrs. Raymond Robbins, 29 November 1916. Los Angeles Tribune story, early May 1915, Edson papers.

³⁷ Caroline Singer, "Mrs. Edson holds big job," San Francisco Call and Post, about 20 December 1918.

small wages, I would not remain in the work, for it's too heart breaking."³⁸ She saw the work of the IWC as awakening the public and employers to the fact that "Anything that affects the industrial life of the nation is the business of the whole people. Such a commission as this . . . will forever do away with the idea that any man's method of conducting his own business, as it touches the life of others, is his own affair."³⁹

EDSON AS FEMINIST

Edson held the social feminist views common among club women of the time. She believed that women should be free to develop their talents and personalities outside the house, but did not want to change the role assigned the wife and mother within the family. Employment of the womanly skills for compromise and creation of harmony was to be sought in both arenas. She wanted women to bring into the public sphere their special concerns along with their skills for generation of harmony.

Edson's attitudes, representative of honored feminist ideals in her era, show today's reader some ways in which the definition of feminism has changed. A number of Edson's actions appear feminist to us. Most eloquent is her incursion into the world of politics with the expectations of male acceptance and the same responsibilities other political figures shouldered. She demanded equal pay for her work as agent in the Labor Bureau and exhorted women taking war jobs to demand equal pay, criticized Governor Johnson for not appointing more women, suggested that her IWC staff

³⁸ "Mrs. Edson at Evening City Club," Los Angeles Examiner, 19 January 1913.

³⁹ Vivian Pierce, "Making employers realize private business is public business -- this is job of State Welfare Commission," San Francisco Daily News, 24 February 1914.

possessed superior tact and judgment because it was composed of women,⁴⁰ and abandoned household chores like breadmaking.

A number of her other actions seem anything but feminist by today's standards. "I think that one of the most important things we can do in this community is for the establishment of a wage that keeps a wife at home," she told a Congressional committee on paid employment.⁴¹ Wives then worked almost exclusively out of financial necessity, and Edson spoke for living wages for men. Though during 1918 Edson repeated the national war administration's instruction that women must insist on equal pay when they took over men's work, the goal was only to prevent erosion of the pay scale in men's jobs and to avoid tempting employers to retain less-costly women workers after the war ended.⁴² Edson asked women war workers to leave their jobs as soon as a man returned to take it.

Edson demanded equal pay for her work, but was unconvinced that the work of less-outstanding women was equal. During her time as administrator of the IWC, women IWC agents earned less than male agents with similar responsibilities in the Labor Bureau. In 1918 Edson told a journalist, "It takes patience, tact and humor to convince them [feminists] that the work must truly be 'equal,' and not merely rated so for courtesy."⁴³ Nevertheless, in 1930 at the end of her career, Edson came out for equal pay

⁴⁰ Edson to John B. Andrews, 15 December 1927.

⁴¹ Edson testimony before U.S. Commission on Industrial Relations, Final report and testimony (64th Cong., 1st sess., 1916), p. 5687.

⁴² The Club Woman, April 1918, p. 17. Caroline Singer, "Mrs. Edson hold big job," San Francisco Call and Post, 25 December 1918. Unidentified clipping. All Edson papers.

⁴³ Crowell, Elsinore. Draft of "A commission government and a woman," returned by Edson 8 March 1918. Edson asked for deletion of the sentence, as it might be misunderstood.

for equal work. She believed legislation useless to lessen the gender inequality, however, which "must be and is being eradicated by time and the very rapid inclusion of women in all gainful pursuits."⁴⁴

THE PROGRESSIVE ERA FADES

The mood in the women's clubs changed along with the times and national sentiment. In 1916 Hiram Johnson was elected to the U.S. Senate, and the lieutenant-governor who filled the governorship from 1917, William Stephens, did not inspire activists. Edson particularly felt the loss of Progressive Party leadership, she wrote Johnson, because it had been hopeful, idealistic, and ardent.⁴⁵

She had hoped to accomplish much by allying the party and the women's new voice. Instead, Johnson left the state and the CFWC was infiltrated by Anti's -- women opposing the women's suffrage amendment - - who tried, unsuccessfully, to amend the group's constitution. Not only were there internal threats to the united club voice, but proliferation of clubs also became a problem. In 1917 Edson declared that California women were "over-organized to death" and sought to "simplify the organization of the women of the state." Women no longer showed the unity of 1910-1913 because the issue which had previously rallied them was now settled.

Women's voluntary involvement in quasi-governmental or policy questions was diminishing. In 1920 Edson was unable to find any volunteers to do two-day stints of compilations for an IWC project. In the IWC's frayed and frazzled 1922, Edson asked club women to help the commission estimate the cost of living preparatory to public hearings on

⁴⁴ Edson to Governor Young, 7 May 1930.

⁴⁵ Edson to Johnson, 28 June 1916.

proposed minimum wage changes. She sent blank budget forms to presidents of women's clubs in all of the larger communities. Only two were returned.⁴⁶ Still, women's organizations responded several times to her requests for shows of support for herself and the commission. But by 1923 the president of the CFWC declared the club women "so indifferent to anything but a little philanthropic work. I get furious when I think of their laziness and lack of responsibility."⁴⁷

In 1926, one year after her divorce, Edson had written, "I begin to feel that I am out of step entirely with the rest of the women of this country I cannot see their conservative stand on many of the things that seem vital to me." She protested on occasion, as in response to a dues bill from the Daughters of the American Revolution. Edson mailed them the \$2 and a statement of resignation because she was entirely out of sympathy with the organization's activities, having "no confidence in its present leadership or policy."⁴⁸

Women's organizations played contributing roles when Edson was ousted in 1931. She had lost her broad base of support in women's clubs for several reasons. The changing orientation of and lessened unity among women's clubs had its effect. The Women's Republican Club and the Women's Christian Temperance Union stoutly opposed Edson as a liberal in

⁴⁶ A portion of the difference in response between 1912 and 1922 probably owes to differences in Edson's position. Working up to sixteen hours daily in the IWC, she had fewer and less intense contacts in the CFWC, and she and the IWC existed in the public eye now clearly independent of the women's club movement. Earlier they had been the protected offspring.

⁴⁷ Mrs. Frank Boren to Edson, 24 September 1923.

⁴⁸ Edson to Alicia Mosgrove, 19 February 1917. Edson to von der Nienburg, 9 August 1917. Mrs. Frank Boren to Edson, 24 September 1923. Edson to Johnson, 6 January 1926.

conservative times, and one who took no stand against alcohol.⁴⁹ Edson's strong political base among the women's clubs eroded with her divorce; she was no longer perceived as a model. Furthermore, she had been away from her southern California power base for fourteen years without developing as broad a network in the north. The demanding job in San Francisco left her with little time to reestablish such a diverse network in the Bay Area, and she spoke less often to clubs about the work of the Industrial Welfare Commission in later years, that topic being no longer a novelty attractive to program planners. Edson involved herself in athletic clubs and the San Francisco League of Women Voters. The final involvement of women's clubs in Edson's discharge arose from the San Francisco League's refusal to endorse the winning 1930 gubernatorial candidate. He took offense.

UNRECONCILED CONTRADICTIONS

Edson was a strong-willed, intelligent, dynamic woman. Only her confidants saw her sensitivities and self-doubts, but high expectations for her own performance and emotional stamina, stiff self-criticism, and family stresses probably contributed to Edson's frequent illnesses and early death. Each time she stumped southern California in the Progressive campaigns, she drove herself until illness forced a rest. After she became executive commissioner at age forty-six, Edson worked sixteen-hour days according to Bary.

The contradictions in her public role must have taken a toll on a woman who wrote, "I would go mad if I had to live in this conservative

⁴⁹ Bary, "Labor administration," p. 165. Edson to Theodore Roche, 3 December 1930. Edson to Johnson, 24 November 1930.

afraid of your shadow frame of mind of these Easterners. Every place I have left I have felt like saying -- Go to hell!"⁵⁰

Her private life was no haven. Edson wanted an income because her husband's musical career, never financially successful, made family plans dependent on the good will of her mother-in-law. Edson especially wanted to be able to educate her two children remaining at home, including a son crippled by infantile paralysis.⁵¹ After her appointment as executive commissioner in 1916, she moved to the Bay Area (previously she had commuted by train); her husband of 26 years and youngest son remained in Los Angeles.⁵² The couple did not divorce until 1925, however they reportedly never lived together as husband and wife after 1916. The Christmas of 1917 prompted the blue sentiment that it was "the last Christmas we will have any happiness."⁵³

The catalog of private pressures under which Edson labored make her accomplishments seem even more admirable. The increasing toll of illnesses over the years, however, probably sapped her stamina and decreased her effectiveness before 1930, when she turned sixty; she was largely house-bound after leaving the IWC. A reduction in her own capabilities, although never mentioned in connection with the job, was probably one more reason for her replacement.

⁵⁰ Edson to Lissner, from Indianapolis, 5 March 1915. Emphasis is Edson's.

⁵¹ Edson to Johnson, 23 May 1915.

⁵² Edson had tried to get for her husband the civil service job as manager of the municipal auditorium of Oakland in 1915, and had likewise asked that she be considered for any vacancy in Los Angeles. Apparently this was part of a last wave of attempts to keep living with her husband, who was "highly temperamental." Edson to Lissner, 7 January 1915 and 19 March 1917.

⁵³ Edson to Lissner, December 1917.

Edson's correspondence contains reports of these illnesses and stresses: In December 1913, at age 43, a neuritis attack slowed her. In April 1914, a heart condition flared up, sending her to bed, after seeing a man killed by the trolley car she rode in. In October her eyestrain required glasses and rest. In July 1915, with a show-down brewing at work, she suffered a major flare-up of her heart condition. She wrote Johnson, "It is when I get down and out like I am at present that I get panicky -- frightened for fear I can't keep things going and educate my boys for life. I feel I have made such a fiasco with Katherine that I don't want to fail with my boys."⁵⁴ After she had been ill for six weeks, fellow IWC commissioner Walter Mathewson recommended that she find someone of confidence with whom to discuss IWC affairs so that she didn't have to carry it inside her, bottled up. He pointed out that she hadn't the constitution to criticise -- in this case, the running of the IWC -- without taking most of the blame herself,⁵⁵ and that she judged herself by others' reactions to and recognition of her work, not satisfying herself after having done her best.⁵⁶

In the fall of 1915, Edson's mother was reported very ill and expected to die.⁵⁷ In early 1916 Edson assumed administration of the IWC and spent about eighteen days a month in San Francisco. In 1917 her daughter, a dancer, divorced.

In 1919, at age forty-nine, effects of the menopause necessitated an operation to control blood supply to the brain. It was about six months before Edson was well enough to return to work. In 1921 Edson tried not to

⁵⁴ Edson to Lissner, 8 July 1915. Johnson papers.

⁵⁵ Mathewson to Edson, August 1915 and Thursday, undated, late 1915.

⁵⁶ Mathewson to Bary, 6 July 1915. Edson papers.

⁵⁷ Scheel to Edson, 18 September 1915.

worry about whether she could keep her job in the prevailing political winds. Her blood pressure was very high at 190; her doctor said she must quit work if she couldn't take it easier. She tried. Her husband allowed the youngest son to live with her. She looked forward to a vacation in September and a quiet winter, but President Harding appointed her to the Conference on Disarmament. Before she had finished that assignment in Washington, pressures for lower wages mounted in California, opening a stressful period, lasting into 1923, in which Edson was personally vilified. Between 1923 and 1925 the IWC fought a constitutional challenge which was fortunately dropped before judgment was reached.

Edson's husband told her in 1923 that he didn't want to see her again. In the last half of 1923 a growth was found in her breast, was removed, and recurred. Doctors disagreed on whether it was malignant. In 1924 she was hospitalized with a kidney flareup. In 1925 she was granted a divorce on grounds of desertion. In 1925 the Southern California canners *en masse* began a continuing refusal to comply. In 1926, at 56, Edson suffered two severe heart attacks, circulatory problems, and gall stones.

She had been ill during the 1930 campaign, Edson informed the newly-elected Governor Rolph, so had done hardly anything to oppose his election. Rolph appointed a new head of the Division of Industrial Welfare -- Edson's administrative title -- and the legislature passed a bill that year which caused Edson's appointment to expire 15 September 1931. She of course was not reappointed. The new IWC head, Mrs. Mabel E. Kinney, lowered wage standards and turned the IWC inactive, seemingly gutting Edson's life work.

Between 1932 and her death in 1933, Edson was unwell. Edson advised Kinney, handled some southern California negotiations for the commission, and lobbied the League of Women Voters to press for a larger IWC budget and resignation of Kinney.⁵⁸ She remained politically active through correspondence from her retreat in Carmel, and continued club work as member of a national living costs committee, chairman [sic] of the corresponding state committee, and for a time director of the 7th Region of the national League of Women Voters. According to a co-leader, "Every conference with her is an inspiration and as yet we all go to her" because Edson was not well enough to get out. "She is handling some of your most knotty problems (spell it the other way if you like)."⁵⁹ In 1933 she was asked to take the job of writing the National Recovery Administration's canning code, but was too ill to do so.

⁵⁸ The League agreed that Kinney was unsatisfactory and equivocated on the IWC budget in the face of a huge state deficit.

⁵⁹ Mrs. Barnum (unsigned) to Mrs. Eliel, September 3, 1933. Edson papers.

CHAPTER 3

THE COMMISSION BEGINS ITS WORK

None of the five members of the new commission meeting October 6, 1913, knew all the others. "I am a little appalled at the prospect of working with so many strangers," Edson wrote, "but I have no doubt that they are the best men for the place or they would not have been appointed."¹ She had suggested several other names to the governor, but a number of constituencies had to be pleased, and the only common denominator among the attendants at this first meeting was that they were all staunch supporters of Governor Johnson. A.B.C. Dohrmann of San Francisco represented the mercantile industry. From a family of prominent businessmen, he was president of the city's largest department store and

¹Edson to Johnson, 24 September 1913. Johnson's letter to her of 8 September 1913, had stated, "Of course your name is to head the lists of appointees upon this Board and I would not wish to make any appointee that would be uncongenial or which you deem inappropriate." Johnson's correspondence (Johnson to E.A. Dickson, 2 October 1913) describes his difficulty in choosing: "You know my difficulties in the selection of that Board, and how I begged for suggestions, and how ready I was to accept selections and appoint two or three of those from the south." A man from the south had been selected, but his illness caused Bonnheim's substitution. Another man "was recommended alone by Mrs. Edson, but my information was so indefinite concerning him that finally I took Judge Murasky, as the fifth member, because of the importance of that particular place." Edson herself had recommended against Bonnheim, explaining: "I know of no dry goods man in Los Angeles who is sincerely in favor of any of the Progressive measures, and I believe that one dry goods man on the commission is sufficient." (Edson to Johnson, 8 August 1913)

part owner of several other stores and Yosemite's Curry Company. Walter G. Mathewson of San Jose represented organized labor, being employed by the Building Trades Council. He was the only Johnson supporter visible among union officials. A. Bonnheim, the second business representative, worked under Harris Weinstock as part-owner of the Weinstock-Lubin store in Sacramento.² Frank Murasky was judge of the Superior Court of San Francisco, and as the non-aligned member, was elected chairman.

The first meetings dealt with the mechanics of creating an organization and plans for its activities. By January 1914 -- ten meetings later -- the commission had rented offices, hired a secretary and stenographer for San Francisco and assistant investigator for Los Angeles, approved a plan of action, and begun to meet with laundry owners. Laundries topped the plan of action, followed by the cracker-and-confectionary and the mercantile industries.

The commission did not give priority to the canning industry for the same reason that colleges with new football programs do not play Notre Dame. The commissioners wanted to practice on other industries first. Canneries employed more women in California than did any other industry. They were the road to market for much of California's agriculture produce, the most valuable product in the state. One third of all California products by value were raised on farms, and one fourth of California manufactures involved agricultural products.³

² Helen V. Bary, "Labor administration and social security: A woman's life," an interview conducted by Jacqueline K. Parker (Berkeley: Regional Oral History Office, University of California, 1974), p. 50.

³ Lawrence B. Lee, "California water politics," Journal of the West 24(4):64, October 1985.

The commission recognized an immediate need to begin gathering cannery statistics, however. One of its first advisors from the Bureau of Labor Statistics, Harry Scheel, was hired as the commission's secretary precisely for his knowledge in data gathering, a process which began with the opening of the 1914 canning season.⁴ The canners recorded statistics, and four IWC agents gathered background on the industry. They described occupations, examined pay rolls, verified conditions of apprenticeship and availability of first aid, and noted, with exclamation points, the sanitary condition of work rooms, lunch rooms, and so forth. They distributed questionnaires to the workers, asking about the individual's living conditions and expenses. Then they visited one thousand of the respondents at home at night to verify and amplify the information, especially for budgets.⁵

Employers cooperated. Many posted notices or issued circulars requesting that employees complete the questionnaire. The IWC sought employer cooperation by working through the Canners' League, the industry association, and taking time to discuss thoroughly with employers the commission's goals. IWC/management conferences held in Los Angeles and San Francisco in February and March of 1914 allowed employers to explain the industry's situation and to meet the persons administering the law. The industrialists agreed to keep records for the entire 1914 season -- an agreement entailing "a tremendous amount of work and a considerable cost"

⁴ The original intention was to have investigations done by the Bureau of Labor Statistics, but it could handle no more work.

⁵ Workers in mercantile establishments returned 75-90% of their schedules, however those in manufacturing concerns responded at a much lower rate. Over twenty thousand schedules were returned (in sealed envelopes, to the IWC), though many of those were improperly or incompletely filled out. (IWC, First report, 1913-1914, p. 15)

to them according to Edson. Records kept in fifty-four canneries⁶ showed the hours of work and daily and seasonal wages of as many as 30,000 women, "as many as the whole number of women employed in the other industries in the state combined." Edson believed it was the most exhaustive investigation of the kind ever made.⁷

Edson began to devote two days weekly to IWC investigations. None of the commissioners was paid or expected to work for the commission beyond their meeting hours, but Edson, employed in the Bureau of Labor Statistics as something of a free agent, could take time for the investigations vital to IWC success. The governor had appointed her to both jobs -- as salaried special agent for the Bureau in 1912, and IWC commissioner in 1913 -- and the two organizations shared one Los Angeles office, so the cross-over was simple. She officially reduced her time in the Bureau's Los

⁶ Edson referred to the fifty-four large canneries which kept statistics for the commission as "every cannery in the state." The 1914 census of manufacturers counted 205 commercial food preserving entities (canneries and fruit dryers) in California, about seventy of which employed over fifty persons. In the early teens more fruit was dried than canned, so fifty-four canneries may have been the full component. The number increased rapidly during World War I.

⁷ Edson to Mary White, 26 May 1915.

Angeles offices at about the same time that the IWC moved to separate offices there, in August 1915.⁸

Toward the end of the 1914 canning season the commissioners toured twelve Bay Area canneries in a two-day tour using Commissioner A.B.C. Dohrmann's car. Commissioner Walter Mathewson and Edson emerged from the outing with a strategic alliance in their campaign for better labor conditions, and the start of what would become a strong personal friendship. Correspondence between Mathewson's union office in San Jose and Edson in Los Angeles shows that these two saw regulation of the canning industry as the IWC's major challenge and first priority.⁹

Over that winter their letters discussed how various situations affected IWC goals. They recognized the growth of the California Fruit Canners Association (C.F.C.A.) and its "attempt to corner all the fruit in the country," to the distaste of smaller canneries; the ethnic-operated canneries -- smaller, valley canneries with poorer working conditions and immigrant workers less likely to demand improvement; and the likelihood of fruit growers rallying to the canners' supporters if the canners protested

⁸ "Resolved, that the arrangement whereby Katherine Philips Edson is to give two days a week, or such part of her time as she can arrange to be free from her duties with the Bureau of Labor Statistics, to work in the investigations of this Commission in Southern California, be confirmed, to continue until revoked by this Comomission." (IWC meeting 24, 17 May 1914) The Bureau enforced the 1911 Eight Hour Law, the major protective legislation for women before the IWC established standards. Edson probably lost no pay while working between the two agencies, as Governor Johnson maintained his pre-appointment agreement that her hours of work were not to be strictly controlled.

⁹ Mathewson to Edson, 13 October 1914; and IWC meeting 30, 9-10 October 1914.

governmental regulation loudly. Mathewson and Edson hatched the idea that guidelines should be argued out among the canners themselves, not between the IWC and the canners.¹⁰ Edson thought that the threat of corporate takeover made other cannery owners "realize our Commission is a great thing for them in saving them from the monopoly of the C.F.C.A."

In the eighteen months following adoption of the IWC's first plan of action, perspectives changed. A financial depression caused by the War led some outside the commission to argue that regulation should be postponed. To Governor Johnson, Edson reported that Florence Kelley, champion of workers' welfare, agreed that fixing minimum wages during a time of financial depression would be disastrous to the movement. For the time being (summer 1915) therefore, perhaps it would be best to concentrate on data gathering?¹¹

But in the spring of 1915 the commission had decided that regulation of wage rates in the high-paying canning industry should be easy to put through and not disturb the piece work basis.¹² In April the commission asked the canners to form a committee to set industrial standards, and in August told the committee members what type of results were expected. The canners agreed to study conditions in their own plants and localities and to meet as a committee in the latter part of September, near the end of the

¹⁰ Mathewson to Edson, 13 October 1914; Edson to Mathewson, 14 October 1914.

¹¹ Edson to Johnson, 3 June 1915. Edson supported the interpretation she attributed to Kelley, and reported that Mathewson agreed too despite the danger to a labor man agreeing with Murasky and Dohrmann. Mathewson no longer agreed to wait six weeks later.

¹² Bary, Labor administration, p. 62.

canning season, "at which time they could remain in continuous session until their work was completed."

By the time the report was filed, the commissioners were out of sympathy with the canners. Some wage and time records had apparently been falsified to avoid possible retroactive pay rulings.¹³ Mathewson claimed that he was glad for the falsification because it might move Dohrmann to shift his position, to demand more than what the canners were themselves suggesting as rules. "I have the utmost confidence in Mr. Dohrmann when it comes to wanting to be open and above board and absolutely fair [We must expect him to] take pretty much of the employers view of things . . . , but when it comes to accepting doctored reports I know that he will fight against such methods as hard as we would."¹⁴

The canners' report, presented on 1 October, did not usher in a new day of industrial self-regulation. The commission scheduled a wage board, the first formal step toward an IWC regulatory order.

External action and internal pressure was getting too intense for the IWC's executive secretary Scheel. On October 25 he asked for a leave of absence which the commission granted with the understanding that he would use the leave to find other employment. Dissatisfaction with Scheel had been building for some time; he avoided action and alienated the IWC staff. Edson, not Scheel, had become the linchpin of the operation. His leave granted, Edson was asked to fill his place during her leave of absence to be requested from the Bureau of Labor Statistics.

¹³ Mathewson to Edson, 21 July 1915.

¹⁴ Mathewson to Edson, 21 July 1915.

The canning wage board of three employers and three employees, presided over by Edson with Scheel ex-officio as secretary, met 7 January 1916. Representatives of the employees were eager to be reasonable and argued like bright girls with papa -- they stated their case and repeated it, but when authority said "No, out of the question," they gave in. Piece rate wages for cutters were nevertheless set 15% above the employers' 1 October recommendations, save on tomatoes marketed competitively against other states' products.¹⁵ The minimum wage for hourly employees was to be sixteen cents per hour -- one tenth of a cent more than average earnings in 1914 for packers.¹⁶

Five hundred copies of the wage board's report were sent to canners and other interested persons; a public hearing to discuss it was called in San Francisco and advertised in San Francisco, Sacramento, and Los Angeles papers. Order and respectful conduct reigned at the hearing, and on 14 February the commission passed orders numbers 1 and 2 (to regulate wages and working conditions, respectively) for the canning industry.

Scheel resigned at the next meeting. Edson was appointed "Executive Officer and Acting Secretary of the IWC, to serve at the pleasure of the Commission."¹⁷

EDSON AS EDUCATOR

¹⁵ Rates were set for peaches, tomatoes, apricots, and pears only. These four products made up three-fourths to four-fifths of total canning output, tomatoes representing a one-fifth share.

Fifteen percent increase is a weighted average calculated by the author, from a range of 12.5 to 25%. When tomatoes are included, the weighted increase is 11%.

¹⁶ IWC, Second biennial report, 1915-1916, p. 246, 256, 271.

¹⁷ IWC meeting 65, 29 February 1916.

Edson's strongest educational efforts for the IWC were aimed at businessmen. When the commission's first biennial report appeared, she sent one to every member of businessmen's associations. "It will have more effect on the employers of the state than anything else we could do I think it ought to be put into the hands of the employers and workers of the state and clear up a lot of misapprehensions that have existed."¹⁸ After the IWC's first years, Edson declared that "I have been nearly talking myself to death about protecting our women and children in industry at this time. There has not been the slightest suggestion yet of anything happening in California, and I am sending to the important employers the last report of the United States Bureau of Labor Statistics and am getting in touch with them so that they will be educated upon the question of short hours and will not demand any change."¹⁹

She talked to industrial associations such as the Cannery League and to civic groups, even the powerful San Francisco Commonwealth Club. The content of her speeches is illustrated by "Industrial Problems as I See Them," a typed manuscript dated 1914.²⁰ It counts the problems of women's and children's labor in California as few compared with those of the Eastern centers, save in the Oakland cotton mills. The Panama Canal's imminent opening, however, threatened a tremendous influx of foreigners which would throw California's working people "into competition with the workers of Southern Europe, people whose standard of living is vastly lower than ours. Unless preventive steps are taken, the whole condition of the western

¹⁸ Edson to Mathewson, 25 May 1915.

¹⁹ Edson to Jessica Peixotto, 15 June 1917.

²⁰ The lecture was presented at Fresno under auspices of the Commonwealth Club, with free tickets available on request. (Fresno Herald, 18 February 1914)

country is going to be debased by this enormous influx of cheap labor that we will get."²¹

Edson then declared that she considered women's and children's wages to be a very small part of the industrial question. Women should be able to express themselves through employment, but they should not be "forced out into life and to work." When women and children leave the home where they belong, she felt that social unrest and immorality resulted. The father should earn enough to support the family.

The real solution was not regulation, she said, but collective ownership. It would give workers an incentive beyond getting to the end of the workday. "We are rapidly coming to the consciousness that we are our brothers' keepers," she proclaimed, adding that California was in the forefront. In this speech, as in others, Edson showed optimism that the existing system could work and that both employers and employees would work in good faith. Threats to the existing system, such as the influx of foreign workers or union violence, she presented as spurs to reform, while regulation and unionization (though this last was seldom mentioned) were projected as desirable evolutions in the system.

Edson favored well-organized unions as a means for the worker to get a just proportion of his product, and expected the employer to meet organized men in a friendly spirit and help them develop themselves. The

²¹ Her negative view of immigration was not exclusively economic. During World War I, to prevent immigration, she exhorted women to work in the fields if needed: "We must save California from an influx of Mexicans and Orientals for our children and our children's children." (from speech before CFWC convention, 14 February 1918. Quoted in Stockton Evening Record; sense reported in Berkeley Gazetteer and Oakland Tribune)

alternative, trying to beat them down, prompted wildcat strikes and gave openings to "reds." She recognized the unlikelihood of union formation among women; therefore the IWC. By 1922, less than 3% of California's employed women were organized. In 1923 she suggested that the social workers join the attempt to unionize women workers in view of the Supreme Court's decisions "practically nullifying everything that can be done through legislation." "The only hope for the workers," she wrote to a colleague, "is through organization. As social workers it is our business to make a forward stand and a educative one"22

"We both know that the educational side of this game is the real issue," Helen Bary wrote Edson in 1916. Edson agreed entirely, later asserting that "legislation forced on a community which had no public opinion developed . . . generally leads to violent opposition or non-compliance I have read some place that law is crystallized public opinion." She believed that the court challenge to the District of Columbia's

²² "Minimum wage laws absolutely necessary, says Mrs. C. F. Edson," Washington Times, 1 March 1915. Testimony of Mrs. Katherine Philips Edson, In: U.S. Commission on Industrial Relations, Industrial relations : final report and testimony (Washington: USGPO, 1916), v.6, p. 5688, 5692. Edson to Ralph P. Merritt, 28 May 1919.

Edson, in a written statement for Women's Industrial Conference 4 January 1923, noted that the unions had no better luck in organizing other Western states without wage legislation. Edson to Anita Eldridge, 25 September 1928. All documents, except testimony, are in the Edson papers.

minimum wage legislation resulted because the law had not been demanded, "unless from a few social workers."²³

Edson's process of education and negotiation, aimed to improve the lot of the working woman, was effective for many businessmen, including Samuel Leask, a merchant member of the ill-fated 1922 general wage board. He reported that, like the unwilling convert, he came to Mrs. Edson and minimum wage to scoff, but stayed to pray.²⁴

²³ Vigilant enforcement of law expressing public concerns, however, was necessary. As the 1917-1918 IWC report observes, "While there is no law but a great need of corrective legislation, public sentiment is aroused and is a protection. This same public sentiment is dulled upon the passage of a good law, forgetting that the law is only corrective when its powers are energetically exercised." (IWC, Third biennial report, 1917-1918, p. 20)

²⁴ Leask to Will J. French, quoted in French to Philips J. Edson, 26 October 1937. Edson papers.

CHAPTER 4
THE COST OF PROPER AND HEALTHFUL LIVING

Working was a caste experience for women, who formed an unequal and dependent work community in the early decades of the twentieth century, wrote Leslie Woodcock Tentler. Light industry, service sectors, and record keeping had grown since the last quarter of the nineteenth century, opening low-paid business employments which were filled primarily by young women of the working class who planned to work only until marriage. Married women did not work without economic necessity; managing one's own household promised much more status and satisfaction than a repetitive job in an atmosphere which reinforced women's learned assumptions of inferiority and dependency in the business world.¹

Since many women workers were young, conditioned to behave under feminine norms, and did not plan to spend their lives in the labor market, they were unlikely to join unions. The adult women who worked to sustain a household had no time for anything else. Women as a group did not bargain their wage levels up to the self-supporting range, and the typically undifferentiated feminine occupations gave individual workers minimal leverage for wage bargaining. Except in piece-rate shops, a worker might not even know what others earned, for prior to the advent of the IWC, California employers considered payrolls confidential and might do them in code.

¹ Leslie Woodcock Tentler, Wage earning women: industrial work and family life in the United States, 1900-1930 (New York: Oxford University Press, 1979), p. 14, 28, 46, 57. Tentler describes well what working meant for women.

Women's wage negotiations came under a much lower wage ceiling than for men even in the same work, and these low rates put self-supporting women and women-supported households in precarious financial conditions. Wages too low to support healthy life motivated the minimum wage laws passed during the teens and twenties.

COST OF LIVING STUDIES AND WAGE ORDERS

During the last months of 1915, before the first wage board was called, Edson produced a thirty-seven page study on the cost of living. IWC agents had interviewed one thousand working women to find out how they made ends meet; inspected rooms for rent in San Francisco, Los Angeles, Oakland, Sacramento, and San Diego; and priced meals, clothing, and sundries. From their reports Edson estimated the minimum cost of living to be \$9.63 per week. The Bureau of Labor Statistics showed that half of the adult women in manufacturing earned less than nine dollars weekly, forcing Edson to conclude that "the cost of living . . . can not be approximated by women of one year's experience in any industry in California."²

Management, labor, and charitable organizations conducted their own studies. The welfare director of the Emporium, A.B.C. Dohrmann's store, estimated a \$9 budget for a woman living in the type of residence (with independent entrance) on which the IWC budget was based. The Los Angeles YWCA estimated \$9.55 as the weekly minimum. Officers of the

² IWC survey data showed wages in Los Angeles and San Francisco mercantile and laundry occupations less than \$9 weekly for about 40% of the women, except in Los Angeles laundries where 70% received less than \$9. Fifty-eight percent of working women in the major industries received less than \$10. (IWC, Second biennial report, 1915-1916, p. 21-57, and Fourth report, 1919-1920, 1921-1922, p. 9-10).

women's trade unions in San Francisco found \$10.31 to be the correct cost for Edson's basket of goods, but said that the minimum cost of proper living was at least \$12 per week.³

The commissioners representing labor -- Mathewson and Edson -- were willing to enact the minimum calculated in Edson's study. But those representing business -- Dohrmann and Bonnheim -- wanted a wage more in line with the current average wage, about \$7. Walter Mathewson, the commission's representative from organized labor, threatened to resign if the minimum were set so low.

The IWC passed nothing until 1916, when it promulgated a canning order in which the time rate minimum (\$9.60 for a sixty-hour week) covered fewer than five percent of cannery workers. The other ninety-five percent were paid piece rates alone. In 1917 and 1918, after several years of war-time inflation had raised the cost of living some 40%, the 1914 study was honored with a \$10 minimum weekly wage for a number of other industries -- mercantile, laundry, fish canning, fruit and vegetable packing, general and professional, unskilled and unclassified, and manufacturing. Since business was good, the \$10 minimum drew few complaints. It eliminated most wages below that level, and did not, as had been foretold by labor, cause business to reduce the differentials of better-paid workers.

The \$9.60 canning order was modified in 1917 and again in 1918 to reduce the work week, to fifty-four hours and forty-eight hours respectively. Though the hourly rate increased by one fourth, the \$9.60 weekly wage continued. Mathewson voted 'no' in 1918 and prompted a new round of cost-of-living studies which drew on data from the U.S. Bureau

³ Their stance perhaps recognized then-current recommendations that 20% of salary be put aside for times of unemployment.

of Labor Statistics, the University of Washington, the National Industrial Conference Board, and Professor M.E. Jaffa of the University of California. For the same bundle of goods as in 1914, minus one dress, Edson recommended a budget of \$13.57 as the minimum for a self-supporting woman. In early 1919 the commission amended its orders to incorporate a minimum of \$13.50 in all industries.

1921-1922 UPSET

Following World War I's end, the cost of living continued to increase. In 1920 another examination began, resulting in adoption of a \$16 minimum and amendment of wage orders. But the \$16 recommendation was reached only by further reducing the basket of items in the budget -- to a suit, coat, and dress for two years instead of one of each yearly -- because the budget otherwise would have hit \$18, a figure higher than the commission cared to suggest. By 1921, however, business had slowed and employers complained that even \$16 was too high for them. After informal requests for reduction which the IWC did not heed since its investigations revealed that the cost of living had changed little, the California Manufacturers' Association petitioned for rehearing and forced the question to be reopened.

Other employers joined the manufacturers in calling for a lower minimum wage. A public hearing was held, then a general wage board called in January 1922. The wage board was supposed to recommend a minimum wage for all regulated industries, but the employees and employers on it deadlocked. Employees insisted upon the current \$16, while employers recommended \$13 in manufacturing and \$13.50 or \$14 in the mercantile industry.

What to do? The commission called a wage board in the needle trades to see if agreement in one industry might be reached more easily, and continued reworking its own budget studies. In March it reconvened the general wage board which could agree only to accept whatever the IWC decided was fair.

That statement was a measure of the confidence which employees and employers were coming to feel in the IWC, and specifically in Edson who served both as a commissioner and executive for the daily direction of the commission staff. Labor felt she could not betray them; industry knew that she was reasonable. With such praise began the most embarrassing period of her career. Edson sought industrial peace, believing in an essential unity of interests between labor and management which would bring compromise when each understood the other's situation. She recognized the straits of independent and household-supporting women, seeing how easily she herself might fit into their shoes; she knew that management wished a productive, healthy workforce. She wanted business's voluntary cooperation since the conservative U.S. Supreme Court could block legal enforcement of IWC orders. Like the other commissioners, she also recognized the tradeoff between keeping women employed and assuring a decent wage to those employed: pricing women so high that men replaced them, or pricing state industries out of interstate markets, would defeat her purpose.

Government statistics showed that the cost of living had decreased some 8% in the year since 1920, but IWC agents could not verify that decrease in California for single women. Though she knew that her basket of goods had had to be trimmed to bring the 1920 minimum wage in at \$16, Edson, the commissioner who put together the cost-of-living budgets,

decided that against the strong business pressure for a lowered wage, she would compromise. Reexamination of her cost of living figures now resulted in a \$15 minimum, approximately equal the 8% decrease reported by the Bureau of Labor Statistics. The IWC adopted her wage although her fellow labor commissioner Mathewson voted 'no;' it altered the order for the needle trades industry to put the new wage in effect.⁴

As we might expect, labor felt betrayed by Edson. Not only had she presented the minimum budget; she was the only commissioner available to scapegoat. Dohrmann left for a long European tour, and Mathewson had voted against the ruling. Henry Lewis, appointed to represent business only seven months before, returned to Los Angeles where labor was poorly organized; the fifth, non-aligned seat had stood vacant since 1919.

Leaders of the California State Federation of Labor decried Edson's suggestion that the common working woman live on \$15 a week when she earned, they said, \$84 weekly, and asked the Attorney General to file suit to recover her salary for the six years she had served as executive.⁵ One Los Angeles union local, whose business agent had served on a wage board, came to Edson's support, but in San Francisco a mass meeting at San Francisco's

⁴ Mary Anderson of the Women's Bureau in Washington wrote Edson a letter of congratulations on the \$15 wage, seeing it as an example of flexibility which shows that the system works. (She added that in many states with protective legislation, the median wage for women is about half the California minimum.) Anderson to Edson, 28 April 1922.

⁵ The complaint resulted in her salary being held up for five months in 1923 while the Board of Control considered the correctness of a commissioner appointed without salary, save \$10 per day honorarium plus expenses when working for the commission, collecting money for thirty days per month.

Civic Auditorium demanded Edson's replacement.⁶ Commissioners Dohrmann and Louis said that they would quit if she did, while the IWC staff declared their "absolute confidence" in the integrity of her position.⁷

The organized needle trade workers petitioned the superior court for an injunction to hold back enforcement of the order, which would normally begin ninety days after its issuance. As the California Attorney General prepared to defend the IWC, he discovered a procedural error that invalidated this order and all others. While announcements of the IWC's public hearings had to be published at least fourteen days beforehand, Edson's procedure resulted in thirteen-day prepublication. Thus all IWC orders, including the most recent and controversial one, were void. Despite Edson's consternation, this egregious miscalculation gave the IWC an opportunity to end the confrontation and redeem itself with labor.

"For the purpose of keeping fully informed as to any fluctuations in living costs," Edson now conducted still another cost of living survey. In September 1922 private and public hearings and a wage board met for a mercantile industry, Dohrmann's home base. Businessmen agreed to the \$16 wage, and in December, on recommendation of the wage board, the commission reestablished the \$16 minimum wage and left it in effect throughout the remainder of Edson's administration as executive commissioner, until 1931. Thereafter, in order to ease the businessman's

⁶ Mrs. Daisy Houck, Local Union United Garmet Workers of America 125, Los Angeles, pointed out the difficulties that Edson faced. ("Report submitted by Mrs. Daisy Houck . . . , May 10, 1922") Paul Scharrenberg, Secretary-Treasurer of the California State Federation of Labor, who had known Edson for ten years, led the rally.

⁷ Marian Mel and ten others, to Edson, 18 April 1922.

payroll, the commission varied other components of the orders, such as the length of apprenticeship and percentage of lower-cost learners allowed, rather than restage 1922 by lowering the minimum. The aggregate economic effect of this route probably was as good or better for employees than a lowered minimum. The main disadvantage accrued to women in the canning industry who now found it much harder to tell whether they had grounds for a complaint.

OVERALL RESULT

When compared with cost of living figures, the California minimum wage rose less than the U.S. cost of living increase, but more than real wages elsewhere, through 1920 when Edson's last increase was instituted. The cost-of-living index had risen from 103 in 1914, to 142 in 1917, and 209 in 1920. After 1920 the cost-of-living index fell, to 167 in 1922 and 164 in 1930. Therefore, if Edson's 1914 survey had properly set the minimum cost of living at \$10, the \$16 minimum wage rate in effect between 1920 and 1930 finally provided for the cost of proper living after 1922 when the index fell to approximate 160.

SETTING THE MINIMUM WAGE

The commissioners faced philosophical as well as practical and political choices in setting a minimum wage. The cost of living where, with what comforts, supporting whom? Employers averred that most of their women employees lived at home and were merely earning pin money; indeed most women employees lived with and worked to increase the

income of their childhood families.⁶ Society accepted that women's sphere should be the home and attributed questionable status to women who lived outside a family circle, so the intent behind minimum wage legislation was clearly not to free young women for independent living. Others pointed, however, to the women who maintained households and raised children alone or with an invalid husband.

Choosing neither the woman who lived in her father's house nor the woman who alone supported a household, since these minimum wages would be too low for self-support or too high for business acceptance, the commission tailored a minimum budget for the woman with no means of support but her own, called in early years the "woman adrift" or the "self-dependent" woman in reflection of the abnormality then of living outside a family and dependent on no man.

Should cities have higher rates than towns? Should northern California have higher rates than southern California? Did some occupations require higher wages to pay for more expensive clothing? Other states instituted differential rates, but the IWC chose expediency and replied "no" to these questions. To be simple for both employers and work force, it set one minimum for trained workers in all occupations throughout the state. Each occupation also had a standard set of exceptions -- male and female minors, learners, and women over fifty-five years old or handicapped with

⁶ Leslie Woodcock Tentler, Wage-earning women, p. 13, 85. Bary notes an instance when Dohrmann's brother's business was discovered requiring, as a condition for employment, prospective employees to disclaim economic reliance on their wages. (Helen V. Bary, "Labor administration and social security: A woman's life," an interview conducted by Jacqueline K. Parker (Berkeley: Regional Oral History Office, University of California, 1974), p. 85)

slow worker permits⁹ -- who earned lower rates which varied among occupations.

How much should the market enter into the setting of wage rates? This question proved more troublesome. The existence of the IWC implied a belief that employers were not paying employees "their worth," in the sense that a worker is worth her keep, and thus that the market for women's labor was flawed. The IWC legislation instructed that the workers' cost of living be the basis of the minimum wage rate. As seen before, Edson's basket of goods examined only the subsistence cost of labor, not the cost of reproducing it, i.e., having and raising children; the market price for women's labor was altered as little as possible.

That payment to a worker should be equivalent to the value which industry received from her was generally not an acceptable consideration in setting IWC minimums, as seen in the commission's care that women's wages stay lower than men's wage rates for the same work. In that stance the it accepted social norms that protected male workers -- the wage earner -- over women who presumably did not need to work. The IWC did recognize negative productivity differentials among women, however, setting lower minimums for learners and substandard workers. Generally the commission assured that workers received at least the relevant minimum, and paid no attention to higher wages.

⁹ Permits allowed workers to earn, generally, the industry's lowest permitted time rate, usually that of learner, for a year. Permits were intended to increase the length of apprenticeship for slow workers. Most permits were issued for older women, perhaps working for the first time; about 225 new permits were issued yearly, with an average of 400 permits outstanding between the years of 1923 through 1931.

Only in the audit system, as practiced after 1923, did the IWC reward better workers at the expense of others' minimum wage. Described more fully on pages 73-75, the audit incorporated the canning industry's proposals for a productivity-basis to the minimum wage calculation,

When the audit showed that a piece rate must be increased retroactively, that increase was originally given to all who worked at that rate. Industry asked that increases be limited to those women in the group who earned less than minimum wage, and that increases for each workers should stop as soon as her wage reached the minimum. For three years, from 1920 to 1922, the IWC agreed, their subsistence standard being satisfied. In 1923, however, the commissioners decided that fairness obliged them to mandate payment of increases across-the-board, even above minimum wage, as before 1920. To placate employers, the commission at the same time ruled that only fifty percent of the ordinary adult workers (or about forty percent of the total workers protected by the IWC) had to earn the minimum wage in order to validate the existing piece rate. Until this point, two thirds had to earn the minimum to avoid increases. In short, minimum wage for one sixth of the piece rate workers was sacrificed to reward the best workers.

Another question concerning productivity and subsistence asked whether the commission was responsible for assuring an acceptable minimum income for part-time workers. If the cannery uses an employee for only twenty hours one week, should she earn the minimum weekly wage equal to her cost of living that week? Should seasonal jobs pay higher rates than permanent jobs, since those seasonally unemployed may find no other employment? The IWC ordered higher hourly wages for part time work in

non-agricultural industries alone, believing agricultural industries unable to control their work flows and unreasonably penalized by such a measure. No compensatory pay rates were ordered for seasonal work in any industry.

LEGAL CHALLENGES TO MINIMUM WAGE LEGISLATION

In 1917 the U. S. Supreme Court upheld, four to four, a favorable state ruling on Oregon's minimum wage law, but the 1923 Court struck down a similar law from the District of Columbia. As a result, Edson reported, "employers are now very cocky and are more difficult than they have ever been since we have been operating."¹⁰ The inevitable challenge to the California law came in July 1923. When the lower court ruled in favor of the commission, the case was appealed to the state supreme court where Edson was convinced the IWC would lose. In January 1925, however, the plaintiff suddenly asked that the case be dismissed. Helen Gaines, a young working woman, had asked to learn the elite art of dipping chocolates and offered to work for \$6 a week for the chance. Rebuffed that only experienced workers dipped chocolate, but that the factory could not hire her for less than the \$9 apprentice rate anyway, Gaines became the tool of the California Manufacturers Association in challenging the law. In 1925 she declared that she had unwittingly been made party to the suit without understanding the purpose of the case, and indeed, her industry-supplied lawyer had to be removed because he would not file her petition for dismissal. The California Manufacturers Association, the source also of the 1921 petition for reconsideration of the \$16 minimum wage, won neither adventure but caused greater harm to the IWC in the constitutional challenge since the

¹⁰ Edson to Mary Dewson, 17 August 1923.

business community could see that the state's lawyers considered the law unenforceable.¹¹

Early in the court fight Edson considered leaving the IWC (her pay remained suspended since 1922) to mount a campaign for a national constitutional amendment permitting the minimum wage. Dohrmann and other California businessmen, who saw the value of wage regulation in impeding unionization, promised her a salary. East Coast liberals, however, counseled Edson not to undertake such an effort for fear that it would lessen the chances for another amendment, on child labor, already proposed.¹²

Meanwhile, on the 1923 District of Columbia precedent, five other state supreme courts struck down minimum wage laws. The Arizona law was the next to fall before the U.S. Supreme Court, in 1925, but that same year the Court accepted Minnesota's minimum wage protection for minors. In 1929, therefore, the California legislature raised the age of adulthood to twenty-one, up from eighteen in the original IWC legislation, and exempted male minors between eighteen and twenty from regulation.¹³

In late 1930, a new California Constitutional Commission asked Edson to show why the section of the state constitution approving the IWC should not be struck out in light of Supreme Court decisions.¹⁴ Not until the later years of the Great Depression did public support for the minimum wage rebound enough to start a new movement toward regulation.

¹¹ Edson to Mary Dewson, 17 August 1923; IWC, Fifth report, 1922-1926, p. 18.

¹² Edson to Mrs. Raymond Robbins, 24 April 1923.

¹³ IWC, Sixth report, 1926-1928, p. 140.

¹⁴ IWC meeting 307, 14 November 1930.

CHAPTER 5

THE FRUIT AND VEGETABLE CANNING INDUSTRY

The IWC chose the canning industry as its first subject for regulation because it prospered during World War I. Furthermore, interstate competition, a factor which all states considered in the setting of minimum wage rates, affected California fruit and vegetable preserving industries little. Of the major products, only tomatoes faced direct competition. The mainstay of the California canning industry, peaches, represented 40% of the state's output. The state was virtually the sole source of canned peaches, producing about 95% of the nation's supply.¹ Similar supply concentrations operated for products like apricots, pears, and asparagus. Other states produced partial substitutes -- like applesauce for peach halves -- but few other states could grow the California products competitively.

EMPLOYMENT OF WOMEN IN CANNERIES

The canning industry was only a few decades old in 1913, but thriving. Its preeminence as an employer of women merits a detailed description of its employment practices before IWC regulation began, as well as of the effects of regulation.

¹ IWC Bulletin no. 1, Report on the regulation of the fruit and vegetable canning industry of California (Sacramento: State Printing Office, 1917), p. 128. California Crop and Livestock Reporting Service, California fruit and nut crops: 1909-1955: acreage, production, utilization, value (Sacramento, 1956), p. 71. S.W. Shear and R.E. Blair, California fruit statistics and related data (Berkeley: University of California, Division of Agricultural Sciences, 1958), p. 68-71.

Almost all of the seasonal work force in canneries was female. Non-native workers predominated. In a peak-season sampling of cannery labor characteristics in 1907, minority women outnumbered native-born whites five to one. In 1920, in off-season when few women were employed and those employed were non-migratory, minorities still predominated two and a half to one.² The workers varied geographically, with Italians the majority in one plant, Chinese in another, Russians and Mexicans in yet others, concentrated most in plants run by persons of the same ethnic group. For example, Italian plant managers in San Francisco employed Italian workers (the Calpak North Bay plant was seventy-five percent Italian), and Chinese employed Chinese. The IWC found that immigrant workers might be too uninformed to complain and that, despite bad conditions, they sometimes solidly supported their managers with whom they shared ethnicity.

Some middle class wives working in country canneries might make light of their pay, avoiding the stigma of being a working wife by identifying themselves as helpers in handling the crop. They identified with the local agricultural economy, describing themselves as working "in the fruit" rather than "in the cannery." Many rural and all city cannery workers, however, were motivated by the wage.

Women prepared produce by peeling, coring or pitting, stemming, and sorting; they filled cans and later labeled them. These three operations -- preparation, canning, and labeling -- had separate pay rates. Preparation paid piece rates, while canning and labeling more often paid hourly rates.

² Peter Woodward Philips, "Toward a historical theory of wage structures: the evolution of wages in the California canneries, 1870 to the present" (Ph.D. diss., Stanford University, 1980), p. 255.

Pay varied not only job to job and cannery to cannery, but also from crop to crop. The rates generally started low at the beginning of the season with apricots, since more women wanted work than the crop could keep busy. Rates on the next crops generally yielded higher weekly paychecks, and at the height of the season when peaches, pears, and vegetables all needed to be processed, wages were often raised to recruit more workers. At the peak of the season, fast workers could earn what was considered good money.

Total weekly earnings were affected not only by the worker's skill and the pay rate, but also by the plant's efficiency, including whether male runners supplied input and removed output efficiently, how well the work station and the plant were designed, and the length of season. Specialty canneries might be most efficient, organized for one single product, but the season was shortest there. Rural canneries operated only while the local harvest was heavy enough to justify supervisory and administrative costs, a period which might last three weeks for a single-crop cannery, or a few months for one processing several crops. The biggest city canneries might run an April-to-December season by putting up the beginnings and ends of crops shipped from a distance in addition to those from the surrounding countryside. As the market developed for canned goods, canneries operated more months of the year. Asparagus and spinach opened the season in March, and fruit cocktail was put up by larger plants during the winter, using fruits canned earlier.

Worker satisfaction depended primarily on the pay, working conditions, and hours of work. Dissatisfied women workers most often protested by quitting. Statistics collected in 1916 show that 20.6% of the

employees in San Francisco plants stayed less than one week, and 40% less than four weeks. In a city season averaging 23.5 weeks, the average length of employment was 7.6 weeks. In the country canneries, women averaged 7.7 weeks of work in an average 14.3 week season; 11.4 % stayed less than one week. A particularly long work week, with workers required to stay until plant closing to keep their jobs, caused large numbers to quit. San Francisco canneries worked especially long hours; in 1916 most work weeks exceeded sixty hours. In southern California and rural districts, however, most canneries operated less than forty-eight hours per week. In some canneries more than 90% of their workers stayed as long as there was work; the figure was over 60% for the twenty canneries with the highest wage rates.³

A strike might break out anywhere. Often provoked by working conditions, strikes were not necessarily related to unionization. Workers, isolated from the larger work world by long hours, femaleness, and poverty, viewed torment from supervisors and working conditions as directed personally at their working group, not as part of wide-spread management practices. Thus a wildcat strike to protest local conditions seemed more fitting to workers than the indirect avenue of unionization.

Unions had shown little interest in cannery workers, nor did the women workers show much enthusiasm for unions. As unskilled workers, transitorily related to the employer, and perhaps migratory, they had little invested in their cannery employment. As females, moreover, they had generally been conditioned to avoid strife and militancy. Both factors

³ Helen Bary, "Report on effects of the commission's rulings, season of 1916," in IWC Bulletin no. 1, p. 107.

militated against steady, purposeful union involvement. Unions were thought a bad thing by both workers and employers in southern California, and even in San Francisco where the cannery season was longest and other unions were powerful, stable cannery unions did not emerge during the 1913-1931 period.⁴

CHILD EMPLOYMENT IN CANNERIES

When the IWC began, California's child labor law permitted children over twelve years old to work in canneries. Country canneries, especially in peach and apricot districts, employed the most children: 11.1% of their work force, as compared with 3.6% in city canneries. Canneries employed youngsters primarily when their adult family members had no child-care alternatives during cannery work. The firms agreed, however, that those younger than sixteen were irresponsible workers. In 1916 only half as many children were employed as in 1914, because the canning order established one minimum wage rate for minors and adults together. That wage system effectively limited child labor.⁵

In 1919 a federal child labor law imposed a 10% tax on the net profits of canneries employing minors under fourteen years, and a 1920 law forbade employment of children under fourteen in canneries. The IWC revised its orders to reinforce that restriction.⁶

⁴ David Selvin, Sky full of storm, p. 27-28. "Testimony of Mrs. Katherine Philips Edson," in: U.S. Commission on Industrial Relations. Industrial relations: final report and testimony (Washington, USGPO, 1916), p. 5687.

⁵ Bary, in IWC Bulletin no. 1, p. 65, 67, 106, 114.

⁶ IWC, Fourth report, 1919-1920, 1921-1922, p. 135.

MECHANIZATION

Manual methods of product preparation were universal in 1916, with division of duties only between cutters and canners. In 1923-25 pear preparation was separated into four processes by four groups of workers, but little automation, except for occasional use of conveyor belts to move cut fruit to canning tables, became established before the 1930's.⁷

The mechanical peach splitter and pitter was introduced experimentally by a number of plants in 1923. That machine could handle about sixty percent of the fruit; the other, imperfect fruit was routed to humans. A widely-adopted pitter was invented in the mid-1930's.

THE MANAGEMENT

The output of the California canning industry doubled between 1914 and 1919, while the number of plants tripled, peaking at 193. Most preserving firms employed fewer than fifty workers in 1914; only five plants employed over 250 workers. By 1919 sixteen had grown that large. Exit and entry for small firms was fairly simple. Since the capital investment required to get into the business was relatively low, a number of canneries sprang up to harvest wartime profits without long-term commitments.

The stability of a plant's operations affected management's willingness to invest in the improvements required by IWC orders. A plant's canning season was often short, and a light harvest could mean that a plant did not even open that year. Owners were therefore reluctant to invest in improved facilities which they used only a few months per year, and perhaps saw as a short-term, war investment.

⁷ Philips, "Historical theory," p. 205.

Many businessmen were trying to identify themselves as professionals and were concerned with community responsibility during the Progressive period,⁸ although economically marginal operators eschewed civic obligations. Larger, stable plants could better justify the expense, and a giant like the California Fruit Cannery Association with some forty percent of the 1914 pack could be magnanimous since its savings through bulk purchase of tin cans amounted to practically as much as the firm's total labor expense.⁹

Calpak: Concentration in the industry increased with the emergence in mid-1916 of Calpak, the California Packing Corporation, formed through the merger of California's largest canning companies: California Fruit Cannery Association (C.F.C.A.), a stock corporation with fifteen canneries; Central California Cannery, a group of eight canneries formed on the C.F.C.A. model; Griffin & Skelley's two canneries; and J.K. Armsby Company, the commission house through which Central California Cannery marketed.¹⁰

Despite having one umbrella name, the Calpak canneries were, in the company's early years, as diverse as the independents. There was no shared management philosophy, so that managers of individual plants cooperated with the IWC to varying degrees. For example, R.I. Bentley, formerly of the C.F.C.A., embodied the spirit of cooperation, having promised in 1915 to do

⁸ Mansel G. Blackford, The politics of business in California, 1890-1920 (Columbus: Ohio State University Press, 1977), p. 162.

⁹ Bary, "Labor administration," p. 64.

¹⁰ In addition to the twenty-five Calpak fruit and vegetable canneries in California, the new company grouped sixteen fruit packing and/or drying plants there and operated thirty other plants in western North America and Hawaii. (William Braznell, California's finest, p. 43.)

something "this year" on wages. In contrast, Andrew G. Griffin of the former Griffin & Skelley Company objected to governmental interference in his business.¹¹ Several Calpak operators objected to the merger itself, so were probably especially sensitive to "outside meddling."

The C.F.C.A. plants, the largest group in the new company, were characterized by the Central California Cannery (CCC) as San Francisco-based, Italian-run, and hard on its work force. The CCC, the next-largest component, was formed mostly of country cannery men who held a milder philosophy of industrial relations. IWC special investigator Helen Bary regularly received reports from the CCC representatives in the combine, Mr. and Mrs. Arthur Kyle, who were anxious to "Christianize" the conditions in the Italian canneries which "had not been in the habit of treating people in a very modern fashion." Mrs. Kyle telephoned Bary every Sunday morning to report the conditions in the canneries which Kyle visited, and told Bary what to look for when inspecting them.¹² The IWC's canning bulletin, issued in 1917, reported "un-American standards of labor" which it attributed to the employment of much immigrant labor. The task of the commission was to overcome those abuses and establish American standards.¹³

The C.F.C.A. and Calpak were among the commission's most cooperative employers. The companies spent thousands of dollars to comply with the IWC's sanitary order, investing over \$1800 on improvements in the Los Angeles plant alone. R.I. Bentley, C.F.C.A. leader who became Calpak general manager, appointed Mrs. Kyle as the welfare director, giving her,

¹¹ Edson to Lissner, 23 November 1915, Lissner papers. Both these men served on the first, 1916 wage board. The third man, E.H. Kennedy, represented Bonner Fruit Company, an independent.

¹² Bary, "Labor administration," p. 68-71.

¹³ "Minimum wage," Monthly Labor Review 6(2):138-142, February 1918.

according to Edson, "carte blanche to put the whole canning company on a splendid high class basis."¹⁴ But top management's spirit of cooperation did not prevent the managers of a few Calpak plants from falsifying pay records.

HEARINGS AND WAGE BOARDS

The commission met with employers, and with employers and workers together, before making and altering many of its regulations.

In hearings with employers the IWC explained its plans, while both sides reviewed the interpretation of IWC orders and proposed revisions. Employers attended voluntarily, with both the Cannery League and individual canneries regularly represented. The IWC met with employees as well, though the private hearings for employees were very few and generally poorly attended, as attendance generally meant losing a day's pay. The IWC transcribed the comments made in most hearings, but the discussion was purely informative and informal.

Wage boards were the commission's formal advisory mechanism. The IWC appointed representative workers and managers to negotiate, in perhaps two days under Edson's guidance, a recommended path of action for the commission. The commission could issue new orders without first calling a wage board, and did so three-fourths of the time. Wage boards were held before half of the the canning orders, however, because canning agreements were considered bellwethers for other industries.

Equal numbers of employees and employers composed each wage board (three persons per side in 1916 and 1929; four in 1921; two in 1928).

¹⁴ Edson to Peixotto, 15 June 1917.

Employee representatives often had minimal knowledge of the IWC before appointment. Perhaps for that reason, three representatives were asked to serve twice on wage boards. Employee representatives were selected from a pool elected by the employees, or delegated by the union if there was one. Despite the many Italian, Chinese, Mexican and Russian immigrants employed in the canning industry, only two of twelve employee representatives had names reflecting minority ethnic backgrounds. Balistreri, Church, Corey, Crandall, Keister, Schmitz, Smith, Walker, and Zicovich were names of those chosen by fellow workers and the IWC. Some of the imbalance may be credited to reticence and/or poorer English-speaking ability of immigrants. The workers may not have nominated ethnic representatives, even though in many canneries ethnics were the majority.¹⁵ Since the commission had gone on record as hoping to establish American standards in the canning industry,¹⁶ there may have been a sense that ethnics were undesirable on IWC wage boards.

While no employer served on more than one wage board, such representatives -- all male -- usually had several contacts with the IWC

¹⁵ Anthony comments, "There is . . . a constant clash between the members of the so-called "American Race" and the Spanish, Portugese (sic), Italians, etc., who work with them. The American women have frequently complained . . . that the "wop" (a term of derision applied to the foreigners) are continually receiving favors from the male countrymen who serve them. The author has observed this to be the truth in some cases but it is greatly exaggerated on account of the general prejudice against foreigners which prevails in this country." (Anthony, "Labor conditions," p. 48)

¹⁶ Bary, "Report on effects of the commission's rulings, season of 1916," in IWC bulletin no. 1, p. 63.

before appointment. Wage boards and hearings generally included someone from Calpak or another large processor like Libby, McNeill & Libby.¹⁷

Appendix D lists the hearings held for the canning industry, the employers who appeared, and wage board members.

SANITARY ORDERS

Marie Obenauer's 1915 report on working conditions in California canneries referred to the problems caused by the "kitchen methods" practiced in some canneries. She referred to insufficient supply runners, removal of waste from floors, and vents for the escape of steam. Floors were a special problem, as accumulated waste fouled the air and caused slippery footing for the women who, in this period before the general introduction of production belts, might have to walk about to fetch or deliver a product. Of forty-one canneries visited, twelve floors were unsatisfactory, ranging from "old and filthy" to "worst possible." California plants also had too few toilets and wash rooms to meet existing sanitary codes, and some plants were found "sharply inadequate" in drinking facilities.

While wages and hours were the most controversial features of IWC orders, the IWC regulated conditions of work as well. The number and kind of lavatories and other sanitary installations per worker, seating at the work station, maximum weights liftable, lighting and ventilation, meal times, and lockers were specified in the sanitary orders which complemented the wage and hours orders for each industry. Other agencies, such as the State Board of Health, the Industrial Accident Commission, and the Bureau of Labor collaborated in devising the sanitary orders, while the recommendations of

¹⁷ The firm entered the California market in the first years of the canning wage order. Its California pack eventually exceeded CalPak's.

the National Cannery Association (NCA) served as an industry-approved pattern. The first sanitary order, for the canning industry, was passed by the IWC in February 1916.

Seating requirements provoked the greatest controversy and uncertainty of all sanitary regulations. The NCA sanitary regulations recommended that seats be provided to all workers whose work could be done seated. A similar clause appeared in the IWC order, along with the stipulation that the commission approve the type of seat. Thus began one of the more applied investigations of the commission; the search for a workable seating design.

A number of plants already equipped with seats opposed the requirement, alleging that the workers refused to use them through "innate perverseness."¹⁸ On 1 April the commission approved blueprints for cutters' seats for CFCA plants, but in May concluded that the seats got in the way of the workers and were not used. With a number of other canneries waiting for approval of their seating plans, the commission, in cooperation with the Industrial Accident Commission, hired a consulting engineer named Harold Mestre to study the problem. Mestre was a considerable success; his studies showed not only how to seat women for their comfort, but how seats should relate physically to other parts of the work station for greatest efficiency. After his short-term appointment with the commission lapsed, Mestre was hired by canneries on a fee basis, making recommendations for individual plant situations, while continuing as the commission's consulting engineer. Out of his work came an IWC recommendation for a model work-station described in a 1919 pamphlet approved by the industry's Seating Committee

¹⁸ Anthony, "Labor conditions," p. 45.

and the Industrial Accident Commission. The commission continued to approve new installations and reconstruction, and infrequently banned or approved equipment offered by a manufacturer. By 1920, the bugaboo of seating appeared to have been resolved.

In 1930, after the various industries offered more standardized working conditions, one sanitary order for all industries replaced the industry-specific ones.

ENFORCEMENT OF SANITARY ORDERS

Violation of an IWC order was a misdemeanor, punishable by a fine of not less than \$50, or imprisonment for not less than thirty days, or both. In the early days, however, the commission never resorted to the courts. The commission declined to deal with company lawyers, not wanting to try the limits of the law, but rather to make tangible progress.¹⁹

The IWC enforced sanitary orders by making inspectional tours, requesting changes, and checking for compliance at the next visit. Repeated requests in person or by letter, or pressure through industry associations or a chamber of commerce, not fines or imprisonment, were the penalties for

¹⁹ Bary recounts an incident when a Calpak lawyer came to the IWC office to discuss problems in legal light. Bary took aside Edson, who was prepared to meet him on his terms, to suggest that the commission "adopt the rule that we did not talk with lawyers. We would discuss the questions of industry only on an industry basis and not on a legal basis." Edson agreed, and told the lawyer that he could tell general manager Bentley that the commission wanted to discuss the facts, not the legal aspects. Mr. Bentley thereafter came or contacted the office when a problem arose. (Helen Bary, "Labor administration and social security: a woman's life," an interview conducted by Jacqueline K. Parker (Berkeley, Regional Oral History Office, University of California, 1974), p. 66)

noncompliance. Consider the California Canneries' failure to comply with the sanitary orders in 1916. In July when the company still had not made requested changes, the president was "to be asked to appear before the commission at its next meeting, if he did not before that time comply." Probably he was indeed "asked," although the commission had subpoena powers similar to that of a court. California Canneries' President Jacobs attended one of the next meetings and promised to comply with IWC orders. A letter confirmed the conversation and enumerated the specific changes required, in toilet accommodations, sinks, drinking fountains, lockers, the work-checking system, and seating. It closed with paragraphs commending the cannery for its record-keeping system and the courtesy it had extended to IWC agents, adding, "Our criticism has not been of your employees but of the inefficiency of your entire establishment."

Having enough runners, well-designed work stations, and healthful facilities benefitted the employer. The advantages, not only for employee health and worker retention, became more obvious when the cost of inefficiency was no longer borne primarily by piece rate workers, a shift which began in 1916 with piece rates based on time studies and concluded in the 1919 audit. In light of increased hourly labor costs, time-saving investments became comparatively cheaper. The wisdom of improvements in regularly-used plants was obvious. The commission went beyond regulation as they passed along tips on how some plants maintained a constant-grade mix of fruit all day or reported the effects on plant efficiency of special time-rate trimmers of damaged fruit.²⁰

²⁰ Bary, "Report on effects of the commission's rulings, season of 1916," in IWC Bulletin no.1, p. 56 and 92.

After facilities were up to standard or close to it, efficiency was the prime motivator for compliance since the IWC budget could not cover thorough monitoring of both wages and conditions. Wage regulation was more important to both management and workers, since businesses wanted pay rates no higher than their competitors (though they might voluntarily provide better working conditions), and the worker valued food and shelter more than working conditions. Edson showed the relative IWC emphases in her introductory statement at a 1920 hearing: "Sanitary regulations that we have put forth so far have not been generally enforced as we should like to have them, because of the entire insufficiency of the inspection forces, and I think we cannot have very much but apologies for the lack of enforcement of them; but as for the other [wage orders] I think we are here to receive suggestions and any such criticisms as you think are valuable for us to have."

WAGE ORDERS

The commission enforced sanitary orders little to save their agents for enforcement of wage orders, since thorough enforcement of wage rates was crucial to workers and necessary to maintain broad business cooperation.

The original piece-rate basis of most cannery compensation presented difficulties to the IWC. Some 10% of preparation workers were paid time rates on jellies, sauces, pickles, and other specialty products. The rest labored for piece rates which the IWC set for each product. Despite the commission's time-studies and checks on projected crop quality, the piece rate produced unreliable salary effects; the woman who cut, peeled, and pitted forty pounds of pears earned the same piece rate whether the fruit was large and firm or small, hard, and full of bad spots. The time required

to work the two different qualities could mean quite different salaries for one worker from one week to the next, and even more so for workers in different parts of the state. After three seasons of struggle with piece rates, the commission declared the method too uncertain and announced its intention to institute minimum time rates for all cannery workers, as it had for manufacturing workers. Cannery workers objected. They claimed that production of minor products, for which the IWC had in 1918 guaranteed a time rate in the absence of accurate production studies, had slowed "to a disastrous degree," and that an overall time rate guarantee would wreck productivity.

The canning industry suggested the audit system, which became the major element in canning wage regulation, in 1919 and financed it thereafter. Its success brought imitation by other industries, but after several years its voluntary financial basis retarded enforcement. The audit's story is important because the bulk of the state's employed women worked under it; it is also the best example of creative flexibility from the IWC, and industrial cooperation *à la* progressive ideals. Its history illustrates both the peak and nadir of industry's cooperation.

THE AUDIT

As an alternative to the commission's plan to move to time-rate only, the Cannery Workers' League of California proposed that canners be allowed to continue piece rates if they shouldered the burden of piece-rate and time-rate reconciliation. They would hire auditors to assure that the piece rates yielded minimum time earnings, through retroactive increases in piece rates when the weekly earnings were too low. The IWC accepted the idea with the stipulation that the auditors be civil servants employed by and solely

responsible to the commission, though paid from employer contributions to a Cannery Audit Fund in the State Treasury²¹ (The canning industry paid \$6,800 for their auditors in the 1919-1920 fiscal year. In the eight years thereafter, costs ranged from \$7,000 to \$9,250, or about one dollar for each three women employed in canneries.)

Thus in 1919 canners had the option of paying either time or piece rates. The IWC set the minimum time rate, while businesses set their own piece rates but were obliged to increase retroactively any which yielded less than the minimum weekly wage. While time rate plants submitted one peak payroll yearly, piece rate plants were audited weekly. Most firms chose piece rates for preparation work and participated in the audit.

Starting in 1921, women packing prepared fruit into cans (called canners) also worked on a piece-rate basis, especially in southern California. Their earnings were audited under the same method applied to preparation work (called cutting).²² Though a cannery employed three times as many cutters as canners, the amount of makeup payments ordered for the two groups was nearly equal. The IWC said that the plants set canner rates unrealistically low, and expressed concern that a canner's position near the bottom of a group work table could prevent compensation relative to her skill and diligence. The commission, however, did not attempt rate setting for the multitude of packs, grades, and standards of work used in different plants; it allowed the audit to work.

²¹ IWC, Fourth report, 1919-1920, 1921-1922, p. 137-140, and Fifth report, 1922-1926, p. 122. After 1919, canners signed yearly contracts to contribute to the audit fund if they chose to use piece rates.

²² IWC meeting 300, 10 May 1929.

Over the next decade the employers discussed with the IWC the method of deciding when makeup pay was required, and to whom it should be paid. The 1919 order required that two thirds of all adults and minors receive the minimum wage equivalent; when the weekly audit showed that fewer than $66 \frac{2}{3}\%$ of the women preparing a product in a cannery earned 28¢ an hour, the piece rate for that product had to be increased retroactively by the percentage necessary to bring wages up to the lowest level at which no makeup would have been ordered. The $66 \frac{2}{3}\%$ figure was a concession to the canning industry, whose wage order specified a short learner period -- only three weeks until 1922, and two weeks thereafter -- because the work required little skill. Learner periods lasted longer in some other industries, and as much as one third of those work forces could be lower-paid learners. The one third which the audit let fall below minimum wage allowed canneries as much or more wage relief than that granted mercantile and manufacturing industries. Not even a learner's minimum time rate was required for the canning audit's learner-equivalents.

Nevertheless, employers argued that even more than one third of their employees should be considered learners for purposes of the audit because so many of the workers in the canning industry were temporary. Management wanted to exclude from the audit those who left after the first week as well as older or handicapped permit workers, in addition to the one third allowed for learners. In 1920 the commission agreed to exclude elderly and infirm workers for fear that these otherwise might be

discharged. Though excluded from the audit basis, however, permit workers partook of any percentage increase ordered.²³

Employers got their wish for an even larger exclusion in 1921, though not because the commissioners were convinced by their logic. With a satiated market for canned foods after World War I, the commission wanted to lower labor costs for the hard-hit industry. Lowering the minimum wage rate would have affected wage rates in all other industries.²⁴ Instead the commission eased wage expense by requiring that only half of the workers earn minimum wage, a provision which continued through 1931.²⁵

As noted in chapter three, the IWC and the canners came to disagree on whether the better workers who had already earned the minimum wage should partake in piece rate increases. The commission removed the benefit from the most productive workers in 1920,²⁶ and wanted to restore it in 1923, against the will of the industry. To prevent return to piece rate

²³ A canner at a 1920 hearing in Los Angeles stated, "Our industry is different than other industries, in that we employ the floaters and summer vacation element. I believe 99% can be classed as summer vacationists, [and I] do not believe they should mitigate against the percentages." Surprisingly, Dohrmann, the businessman, was more insistent on holding the line against exceptions for the canning industry than was Mathewson, the union representative, who wanted to be flexible. (IWC conference in the fruit and vegetable canning industry, 27 April 1920)

²⁴ IWC public hearing, fruit and vegetable canning industry, San Francisco, 20 April 1921, in minutes of IWC meeting 219.

²⁵ Edson explained the continuing 50% provision to the 1928 Canners League convention as a concession to the industry's seasonality. ("Speech by Mrs. Katherine Philips Edson, Canners League convention, Del Monte, Cal., March 2, 1928," ms., Edson papers)

²⁶ Those eligible for makeup received no more than that portion of the makeup which raised their earnings to the minimum hourly wage.

makeups for all workers, employers offered to raise piece rates 10% and standardize fruit size to increase efficiency. Preston McKinney, Secretary of the Cannery League, warned that some employer might challenge the order if the IWC changed it. Despite the employers' arguments, the commissioners ordered that any retroactive increase in piece rates to be paid to all working on the product, starting in the 1923 season.²⁷

ADHERENCE WEAKENS

Although the audit's provisions remained stable during 1923-1931, the last eight years of Edson's leadership, its effect did not. The commission's enforcement ability changed, as did the economic position of canners and their willingness to comply. In 1923 the U.S. Supreme Court declared unconstitutional the minimum wage law of the District of Columbia, and California industry lost its fear of prosecution for non-compliance.

In 1925 the Sanitary Canning Company of Los Angeles refused to pay the makeups required by the audit. Thereafter, most southern California canners refused the choice of time-rates, or piece rates under the audit. They adopted unaudited piece rates, though they offered to pay any piece rates which the IWC set. While the southern California group canned only about fifteen percent of the California pack, their pattern threatened the entire IWC effort.²⁸

The southern canners defected during difficult times for the California industry, which produced an average of 28,396,500 cases of fruits and

²⁷ IWC meetings 279 and 280, 3 and 11 May 1923.

²⁸ Mathewson stated, "If we cannot bring the canners in southern California into line, all of our work is lost." (IWC meeting 293, 24 August 1926)

vegetables yearly between 1925 and 1930. During World War I California canned about 13,456,500 cases yearly, less than half of the production a decade later. Although per-capita U.S. consumption of canned goods doubled between 1921 and 1925, that consumption had been accomplished only by reducing wholesale prices below that envisioned by those who during the War had invested to produce and process the crops.²⁹ As early as 1921, a quarter of the 1920 pack remained on hand and canners were reportedly halving selling prices. During the next dozen years marginal canners tried to cut costs, and were willing to break minimum wage law to do so.³⁰ That the southern California canneries were economically weaker is indicated by their reduction in volume between 1926 and 1932, from fifteen percent to only about eight percent of the California pack.³¹

Edson described the defection of the southern California canneries from IWC regulations in a letter written to the Los Angeles Chamber of Commerce:

July 6, 1926

My dear Mr. Arnoll,

In answer to your letter . . . , permit me to say that the meeting held in the office of the Industrial Welfare Commission . . . was exceedingly unsatisfactory to this Department. I tried in every way that I know of to impress the Southern California canners with the seriousness of their refusal to work in accordance with the Minimum Wage regulations to the State.

²⁹ Canners not infrequently were also fruit growers.

³⁰ It was at this point that the IWC lowered the audit percentage to 50% from 66 2/3%. In 1931 the canners would adopt a new strategy, one of limiting themselves to handling the number one peaches and apricots, thus reducing the pack, raising the quality offered to the market, and increasing the price. Because of it, the pack in 1931-33 averaged 48% less than the 1926-1930 average. (IWC meeting 311, 1 June 1931. Philips, "Historical theory," p. 178; statistics averaged by author)

³¹ Edson to Arnoll, 6 July 1926. IWC meeting 313, 17 February 1932, p. 3.

There is no disposition on their part to challenge the validity of the law, nor is there any disposition on their part to refuse to pay the minimum piece rates established by this Commission for the cutting of fruits. These piece rates are fairly adequate in Northern California, where the fruit is much larger, but they are utterly inadequate in the South to provide that 50% of the women working on them make 33-1/3¢ an hour. For instance, in Libby, McNeil & Libby's cannery at Chino, the first week that the cannery operated they paid a basic piece rate of 52¢ per hundred for the cutting of apricots, and they had an adjustment, or "make-up" as the canners call it, of 82%

Such wages as are being paid in the South in some of these canneries would cause a strike within a week in the North, and I suppose only the extreme surplus of labor would prevent any labor disturbance in the South. It is certainly not the kind of a reputation that the people in Southern California are looking for.

It is very important in considering these canners to recognize that the majority of the men in the South are willing to continue under the regulations which have prevailed in the canning industry in the past few years. Both plants of Libby, McNeil & Libby, El Monte Canning Co., W.B. Culross of Colton, McKeon Canning Company of Burbank, Cutler-Lobinger Canning Co. and the Royal all stand with the Commission, and any influence that you can bring to bear on Mr. Gates, Mr. Nelson, and most of all on Mr. Baruch will be deeply appreciated by this Department. I have taken the whole question up with the Attorney General's office, and it is his opinion that the power of the Commission to make all investigations of payrolls, work checks, hours of labor, etc. is beyond question. Also the power of this Commission to fix over-time rates, or even to prohibit any over-time, is unquestioned. Therefore, this Department will make an audit in every cannery in the State as usual, and every cannery will be notified that he should make whatever adjustment is necessary. If this refusal continues I shall give full publicity to the men who are working their women unfairly

I have reported this matter to Mr. Dohrmann and to Mr. Mathewson, and have been instructed by them to do everything possible to bring these people into line.

Assuring you of the deep appreciation of the Commission in the cooperation you and your organization have given us, I am, as always, yours very cordially.

Toward the end of August 1926 the commission set a piece rate of 60¢ per hundred pounds for southern California apricots, and audited the southern canners at IWC expense. Wage adjustments of \$49,000 were ordered; only \$7,000 was paid.

Some canners went further. Mr. Shapiro of the California Sanitary Cannery refused to allow IWC agents and Edson to enter his factory. Both the Attorney General and the commission's special counsel agreed that his

refusal merited legal action for forbidding entry, violation of the eight hour law, unsanitary place of employment, employment of minors, and failure to pay overtime rates. Because Dohrmann, Mathewson, and Edson all favored action, it may be presumed that they attempted something.³² But whatever that might have been, it did not halt the noncompliance among the southern canners.

Interestingly, the IWC reports scarcely alluded to the problem. The only hint of the issue appeared in a comparison made of actual earnings on regular time in 1926. In southern California 77.7% of the women and minors, whether working on time or piece rates, earned less than \$16 a week; in northern California 54.6% earned so little. Only 15% in southern California earned more than \$17 a week, while 35.5% in northern California did. The report blamed small fruit and poor management for the poor showing in the south.

Wage rates in canneries statewide compared unfavorably to wages in the mercantile, laundry, and manufacturing industries, where considerably smaller proportions had low earnings, and much larger percentages earned over \$17 a week.

³² I was unable to discover whether suit was filed.

Actual earnings during regular time for representative week in 1926,
women and minors, time and piece workers³³

| | less than \$16 | \$16 to \$16.99 | \$17+ | * of women & minors | * of plants |
|---------------|-------------------|--------------------|-------|------------------------|----------------|
| canning | 57.0 | 9.7 | 33.3 | 31,753 | 96 |
| (southern) | 77.7 | 7.3 | 15.0 | 3,121 | 11 |
| (northern) | 54.6 | 9.9 | 35.5 | 28,632 | 87 |
| mercantile | 13.3 | 15.2 | 71.5 | 41,954 | 4034 |
| laundry | 19.2 | 21.6 | 59.2 | 13,652 | 889 |
| manufacturing | 30.3 | 15.1 | 54.6 | 27,836 | 1735 |

In 1927 the IWC ordered the southern canners to pay \$41,630 in adjustments; they paid \$2,409. In 1928 \$57,360 was ordered but not paid. Some southern canneries paid the piece rates specified by the commission, but others paid any rates they wanted. Nine cents an hour was the median wage in one cannery.

Between 1926 and 1930 the northern canneries continued to pay all but twelve to fifteen percent of the adjustments ordered against them. The bulk of the industry was in the north, and competition from the southern canneries, while a definite concern, did not convince the northerners to abandon an orderly labor market. But competitive positions switched along another axis. Large canning firms had, before 1927, been insulated from

³³ IWC, Sixth report, 1926-1928, p. 107-8.

price competition because of a substantial discount they enjoyed on tin cans. In 1927 Continental Can challenged American Can Co.'s control of the California market, and the price advantage to the giants dissipated. The large canneries became less willing to ignore unequal compliance with IWC orders.

AFTER EDSON'S OUSTER

In 1931, with a new executive commissioner, nine or ten northern canners defied the IWC as the southern canners had, and northern California began to slip from control. The commission cut its minimum wage rate to 30¢ an hour, the rate that some canneries were paying men in that Depression year, so that women workers could compete for work. According to Smith, little pretence was made of compliance even then.³⁴ In 1932 the canners requested that the audit be based on mean wages, rather than median. No audit in any form was performed in 1932, however. Only 85% of the members of the Canners League contracted for piece rates under the audit, while the understanding between the new executive commissioner and the League had been that only 95% participation or better would sustain the audit. Also that year, the hourly minimum wage was lowered to 25¢ an hour in agricultural industries, and in 1933 a three-state pact with Oregon and Washington specified 35% as the minimum audit basis, which the commission allowed to supersede the 50% of the previous California order.

³⁴ Kenneth Hugh Smith, "Industrial relations in the California fruit and vegetable canning industry" (master's thesis, University of California, Berkeley, 1949), p. 119-120.

After the Depression the audit method was revived, to be finally abandoned in 1943 after automation had changed the nature of fruit and vegetable preparation in canneries.

ENFORCEMENT OF WAGE ORDERS

Enforcement of wage and hours orders was more forceful than for sanitary orders, and the commission filed a number of court cases, though legal action remained exceptional. The IWC had neither personnel nor money enough, nor inclination, to prosecute long or often. Edson believed that employers, once educated to see the importance of decent wages, cooperated voluntarily. Even had the commission been more ready for court contests, after 1923 the ambiguous constitutionality of the minimum wage undercut the IWC's legal footing to enforce minimum wages for adult women during the regular forty-eight hour week. Though the IWC retained unassailed legal right to control sanitary standards, wage rates to minors, and overtime pay, the bulk of the women workers and the mainstay of the IWC program was left to the mercy of management. The main cost of then defying the IWC wage order for adults in regular time was the manager's loss of standing with fellow businessmen and time lost responding to the commission's agents, complaints, and hearings.³⁵

Enforcement, even before 1923, was generally low key. Falsifications, failure to pay overtime, and overfilled piece-work boxes were among the recurrent problems. Plants might record inaccurately the length of a woman's day without raising her objections if she did not understand the

³⁵ In 1917 the court had upheld Oregon's hours limitation. A 1925 test case on Minnesota's minimum wage regulation for minors was later upheld by the Supreme Court.

audit's makeup process and was only concerned that her piece work be counted correctly. If workers complained to the IWC, they might request anonymity, so plainclothes IWC agents might have to take work in plants to get evidence which could be shown to management. Another falsification, even less likely to be reported, tempted plants whose median pay fell barely short of the minimum wage rate. To avoid a makeup, the pay of a few just-below-minimum workers might alone be arbitrarily increased so that the median pay equaled minimum wage and no makeup was required. When tampering was detected, the IWC ordered payrolls rewritten and the corresponding pay adjustments.³⁶ The IWC distributed a company's makeup paychecks in cases of fraud, while regular makeup pay and correction of unintentional errors discovered in routine inspection were allowed to pass directly between company and worker.

Serious falsifications were discovered in 1915, 1924-1926, and 1929-1930. The widest rash broke out in 1924 and 1925, with twenty-seven plants having altered pay records. Calpak plants in Oakland and Sacramento, and Libby, McNeill & Libby plants in Sacramento, Selma, Locke, and Ryde, were among those showing irregularities. In the face of such widespread fraud, the commission asked legal counsel if it was morally obliged to prosecute, then reviewed the incidents at a hearing with the operating committee of the Cannerymen's League and the persons responsible for the fraud. Chairman Dohrmann thought that future enforcement would be favored more by such consultation than by legal action. Falsification continued, however.

³⁶ IWC, Fifth report, 1922-1926, p. 126. IWC meetings 286 and 287, 26 June and 6 August 1924.

When the commission learned that overtime was not being paid or produce boxes were being overfilled, it contacted the violator. If that failed to achieve results, the IWC might file suit but hoped that, once papers were served, the businessman's recalcitrance would evaporate.³⁷

The commission prosecuted one large case, the Bunting case, which in 1929 brought confirmation of the IWC's right to enforce higher overtime rates in both the municipal and the California Superior Court. The case, against Curtis Packing Company of Long Beach, one of the first to abandon compliance in the south, lasted a year. Langmoor, the miscreant manager, received a suspended sentence of \$50 on each of four counts. In 1930 a case was reportedly about to be brought against a Riverside canner for non-payment of minimum wages to minors.

STRIKE SETTLEMENT

Since the canning industry was non-unionized, strikes were wild-cat affairs and generally short lived. Legally, the IWC was not supposed to take a part in strike settlement. But the reality of war-time labor relations was more complex. In 1916 Helen Bary, IWC agent, helped settle a spontaneous strike at Calpak's largest cannery, San Francisco's North Beach plant.

In 1917 Governor Johnson named Walter Mathewson and Edson, along with Sacramento business leader Harris Weinstock and Ralph Merrit (Federal Food Administrator for California), to negotiate a strike settlement for

³⁷ IWC meetings 126, 130, and 173, 12 July and 28 August 1918, and 6 February 1920.

several Italian-run canneries.³⁸ Likewise that same year, Edson sent Bary to settle a spontaneous strike in Stockton.³⁹ The 1917 involvements led the IWC into a lengthy discussion of its role in settling strikes: Edson blamed un-Americanized workers for striking during war-time.⁴⁰

In 1918 the IWC authorized Edson to mediate in a strike at the Griffin Skelley plant in Oakland. She was to confer with the male strike leader and hear the grievances of women workers, "making it clear that the Commission will obtain for them all that the rulings intended to secure for them, but if they are not satisfied with that they must secure them in another way." The main grievance was men's pay rates, which the IWC helped to resolve by recommending that Washington appropriate extra funds to increase piece rates and compensate for small fruit that year.⁴¹ No mention of further

³⁸ Edson reported that the strike in C.F.C.A. and Bisceglia canneries in San Jose spread to C.F.C.A. plants in San Francisco and Oakland. Men in a new union -- the Federal Union of Farm Labor, a group of "excitable Sicilians" who had no idea of trade union actions -- called the strike because of their wages. A twenty percent wage increase, from 20¢ to 25¢ an hour, resulted for men. Women's wages were to be adjusted by the IWC; the 1918 minimum wage increase from 16¢ to 20¢ an hour may represent the adjustment, though the commission's sixty-day waiting period for any change to take effect would have prevented quick adjustment. A number of grievances from both men and women were also resolved in the settlement. (Edson to Von Der Nienburg, 9 August 1917) According to Philips, "Historical theory," p. 282, the striking union was the *Toilers of the World*.

³⁹ That strike had no union involvement. The women's alleged that the boxes of fruit were overloaded, restrooms were below standard, and foremen rough and disrespectful. (Bary, "Labor administration," p. 67-8)

⁴⁰ "Labor problem discussed by Mrs. Edson," clipping, 1918, no citation, in Edson papers.

⁴¹ IWC meeting 128 and 129, 24 July and 22 August 1918.

strikes⁴² nor IWC involvement in them appears in IWC minutes, so that the commission seems to have returned to its legally-mandated role after the War's end.

⁴² Strikes in 1919 and July 1931 were quickly defeated. (Peter Woodward Philips, "Towards a historical theory of wage structures: the evolution of wages in the California canneries, 1870 to the present" (Ph.D. diss., Stanford University, 1980), p. 265, 283-4)

CHAPTER 6
OTHER AGRICULTURAL INDUSTRIES

Canning was by far the most important employer of women. IWC orders covered a number of other agricultural industries: the fresh and dried fruit and vegetable packing industry, fish canning, nut cracking, and agricultural occupations. Most establishments in those industries received less frequent visits from IWC agents than did the larger, longer operating or more accessible and more visible establishments in the canning, mercantile, and laundry industries, however. The rather meager regulatory effort expended on these other agricultural industries highlights the commission's prioritization of the canning industry, and illustrates the limitations of IWC resources. The uneven adherence to its orders by these industries points up the importance of an active agency to secure compliance and traces differences in the characters of industrial managements. It indicates that IWC successes cannot be explained simply by the state's location, its unique products, and favorable economic conditions, for the IWC failed ever to gain the compliance and cooperation of the fish canning industry under the same conditions that yielded success for years with the fruit and vegetable canning industry.

FISH CANNING

Fish canning was a relatively young industry in California in 1916, when the IWC issued its initial order for the fruit and vegetable canning industry. The first fish canneries in San Francisco, San Pedro (Los Angeles), and Monterey harbors started in 1889, 1893, and 1902 respectively.

Sardines were the major product, along with tuna, the latter having been canned experimentally only after 1903 when the sardine run disappeared temporarily from Southern California.¹

The California fisheries' growth was "rapid and spectacular" between 1913 and 1919 under a war market, going from "insignificance" to first among the states. Cases of fish packed in California rose from 748,813 in 1916, to 2,071,641 in 1919; the number of employees in fish packing plants rose from 3,862 to 8,242; and the capital invested in the plants quadrupled, from \$1,809,292 to \$7,708,871. The post-war depression devastated the industry's market, but by 1923 production had recovered to 1920 levels, and then steadily increased until 1930 when demand once again fell. The sardine packers, who produced some 70% of the total California pack, canned sardines in the 1920's not because the demand for that product was strong, however, but instead for the very profitable fertilizer and oil made from the fish and legally manufactured only as a by-product of canning.²

Canneries processed ninety percent of the California fishery landings, in plants grouped in the Los Angeles area, San Diego, Monterey, and near San Francisco. The thirty-six fish canning companies were not anxious to standardize working conditions in 1917 when the IWC turned its attention to them. They pushed a legislative bill to exempt the industry from the Eight-Hour Law. Edson, meeting informally with members of the Fish Cannery

¹ John Cornish Swift, "The tuna fishery of southern California" (Master's thesis, University of California, Berkeley, 1956), p. 53, 55.

² California. Fish and Game Commission, Twenty-sixth biennial report, for the years 1918-1920 (Sacramento: State Printing Office, 1921), p. 55-56. California. Fish and Game Commission, Thirtieth biennial report, for the years 1926-1928 (Sacramento: State Printing Office, 1928), p. 23-24.

Association, convinced them to desist, since the Eight-Hour Law was as advantageous as the regulations which the IWC produced for other exempted industries.³ In the next six months the IWC three times requested, fruitlessly, that the fish canners confer with the commission about a prospective order. Geography undoubtedly played a part in the canners' failure to appear; almost all of the fish canners were in Monterey or further south, and the IWC's first two meetings were scheduled for San Francisco. When the third one, in Los Angeles in November 1917, also failed to net participants, the IWC immediately issued order number 6 for the fish canning industry.⁴ That day's wage order mirrored the fruit and vegetable packing order; a similarly patterned sanitation order followed in January.

In the following summer, an IWC agent reported the "absolute absence of any sanitary comforts or conveniences for the women; night work and long hours" in the Monterey fish canning district, and the San Pedro's Cannery Employee's Association filed a complaint with the IWC. Employers from the south attended the public hearings scheduled in the following

³ W.L. Scofield, "Cannery and market fish," in: California. Bureau of Commercial Fisheries, The commercial fish catch for the year 1928 (Sacramento: State Printing Office, 1930), p. 11-13. Edson to Stephens, 18 May 1917.

⁴ That no fish canners attended is inferred by the author, based on the fact that the minutes of the meeting -- open to employers in various industries including fish canning -- mention no opinions from the fish canning industry, while the positions of other industries are detailed. That fact, along with the fact that the employers had expressly declined to attend the two previous meetings scheduled solely for fish canning, and the issuance of a fish canning order immediately after the hearing adjourned -- as if to say, "We'll teach you to ignore us." -- supports that supposition. (IWC meeting 111, 10 November 1917) The commission had power to subpoena the businessmen, but was not required to confer with them in order to set regulations.

months. They asserted that women in the south were seated at their work, and that hours were shorter because fishermen there had larger boats than in Monterey, where fishermen with small boats made two trips daily. With no one from Monterey in attendance, the charges against that port went unrefuted.⁵

The minimum wage in fish canneries followed the wages set for the fruit and vegetable canning industry, rising to \$13.50 in September 1919, and to \$16 in August 1920.

In March 1921, the large carryover of the previous year's fish pack caused canners to question whether they could operate profitably that year. Upon the end of World War I, a large stock of sardines held speculatively in the U.S. was left with no ready European market and an underdeveloped American market. The IWC answered the industry's plea for a special ruling because of the emergency situation in sardine packing. It waived enforcement of the higher off-hour (between 10 p.m. and 6 a.m.) pay rates.⁶

Even in the financial crisis of late 1921, an IWC plan to amend the fish canning order brought only one employer, from San Diego, to a San Francisco hearing. Soon a movement to lower the minimum wage in other industries arose to preoccupy the commission and forestall action on fish canning until early 1923. By then the industry had recovered. The only wage board in the fish canning industry was called in 1923. It recommended unanimously that the \$16 minimum wage be sustained; that there be no differential wage

⁵ IWC meetings 130, 131, and 138, 28 August and 17 September 1918, and 15 January 1919.

⁶ California. Fish and Game Commission, Twenty-seventh biennial report, for the years 1920-1922 (Sacramento: State Printing Office, 1923), p. 11, 63. IWC meetings 214 -215, 7 and 14 March 1921.

rates for adults and minors, but a lower rate for apprentice workers; that apprenticeships be one week for oval sardines and standard tuna, and three weeks for specialty packs; that fish canneries use the audit system practiced by fruit and vegetable canneries; and that hourly wages for night and part-time work should equal the standard time rate. Edson reported that workers felt strongly about the last point, believing that canners had no control over the catches which fed the work.

The IWC followed recommendations of the 1923 wage board, save that no work was allowed outside 6 a.m. to 10 p.m., and overtime wages continued at time and a quarter and double time, consistent with the fruit and vegetable canning order. It then allowed the canner to choose (and finance) the payroll audit method instituted in 1919 by the fruit and vegetable canners; it had refused a similar request from the Southern California Fish Cannery Association in 1920.⁷

Employees of fish canneries seldom filed complaints, and from 1922 through 1929 no back wages were collected upon complaint, although \$1,033.66 was distributed after routine inspections revealed payroll errors. It appears that many employees of fish canneries identified with a common, local economic interest, as did the wives of fruit growers. In addition, many of the women working in the canneries probably shared the ethnic origins of the fishermen who had often learned their trade in Portugal, Italy, or Japan,

⁷ IWC meetings 273 and 200, 29 January 1923 and 30 June 1920. It is interesting that the Commission approved *ex post facto* the membership of the wage board, having left selection up to Edson just nine months following a great procedural embarrassment.

and the commission had found members of ethnic minorities in other occupations slow to complain.⁸

But in 1929 four complaints were received, and the IWC undertook a six-month investigation of the industry. Based on 154 payroll and 87 sanitary inspections, the commission found that the industry's thirty-four plants generally paid the minimum guaranteed wage, but frequently did not pay overtime and off-time rates. No plant met with all the stipulations of the sanitary order. The turnover at some plants reached 60% weekly.

The IWC ordered back pay totaling \$3739.47 to be paid by twenty-four plants; actual payments made upon IWC orders totaled only \$383.11 in the 1928-30 fiscal years, and \$2377.83 in the 1930-32 fiscal years, so that industry compliance with the make-up order was no better than 74%, and probably less. Upon reinspecting twenty-six of the plants, IWC agents found that twenty-two had made some changes toward compliance with the sanitary code.⁹

The clearest description of the shape of industry employment comes from the 1929-30 IWC study. The thirteen canneries in the north, in Monterey and near San Francisco, canned sardines only, save one which also canned mackerel, a fish processed in quantity only since 1928. They employed 890 women at the height of the August-to-January legal season. The twenty-one canneries in the south were more diversified, employed more women, and had a longer operating season. They canned sardines

⁸ These makeups equal 29% of those in the fruit and vegetable canning industry, though women employees in fish canning were only one twelfth the number of fruit and vegetable cannery workers. The fish canning industry was, per employee, more than twice as likely to have back payments ordered.

⁹ IWC, First biennial report, 1913-1914, p. 159-160.

November to April, tuna June to December, and mackerel year-round. The San Pedro canneries employed 1300 women at the height of sardine season, and 1200 at the height of tuna season. The corresponding figures for San Diego were 330 and 1050.¹⁰

The same minimum wage continued unchanged until 1932, when it was lowered to 25 cents per hour, and 20 cents per hour for inexperienced workers. That rate was the same as others in agricultural occupations, and lower than non-agricultural wages.

FRUIT AND VEGETABLE PACKING

The fruit and vegetable packing industry provided a major outlet for California's fruit production. Fresh shipments were important marketing channels even before iced cars came into use in the 1920's, and fruit drying preserved more of the crops than did canning until World War I. In the 1920's it was thought that drying might completely replace canning of fruits.¹¹

The commission divided the industry into three branches: dried fruit, citrus, and green fruit and vegetable packing. The first order for the industry was dated March 1918 and amended in 1919, 1920, and 1923, largely to accord with the current minimum wage.

¹⁰ California. Division of Industrial Welfare, First biennial report, p. 159. W.L. Scofield, "Cannery and market fish," in: California. Bureau of Commercial Fisheries, The commercial fish catch for the year 1928 (Sacramento: State Printing Office, 1930), p. 11-13. California. Fish and Game Commission, Thirtieth biennial report, for the years 1926-1928 (Sacramento: State Printing Office, 1928), p. 23-24.

¹¹ Ralph Alva Wentz, "California canned and dried fruit industries" (Master's thesis, University of California, 1925), p. 28. Edson called drying a growing industry in the 1926-1928 IWC report.

Dried fruit: In 1913 California produced 88% of the total dried fruit, by value, in the U.S. Only dried apples came in large part from other states.¹² The industry's packing houses were concentrated in the Central Valley, especially around Fresno and San Jose, though apples and smaller quantities of other fruits were dried elsewhere in northern and central California. In 1926-1928, about 5500 women and minors worked in 87 establishments which averaged 63 employees each. Most dried fruit was packed between September and Christmas.

The input of this industry was already preserved, so workers were limited to the eight-hour day. The commission's agents found that ethnic specialization existed with certain fruit varieties. Packing of dried fruit could be a meticulous task, demanding carefully layered rows even for some raisins -- which, for example, was handled mostly by persons of Russian ancestry. Although pay rates in the raisin industry surpassed minimum wage, the producers asked the IWC to set the industry's rates in order to stabilize the industry in 1919, and the commission acceded.¹³

Citrus: The citrus fruit packing industry centered in southern California. The California Fruit Growers Exchange (not to be confused with the deciduous fruit industry's California Fruit Exchange in Sacramento) federated citrus growers in Southern and Central California, starting its Sunkist label after 1907. Quality control and pooling began early in this association, which shipped two thirds of the California crop in the teens. The market for citrus

¹² U.S. Bureau of the Census, Census of Manufactures, 1914, p. 381.

¹³ IWC meetings 165 and 166, 19 and 24 September 1919.

varied less with economic downturns than did markets for deciduous fruits or grapes.

The IWC had in 1914 asked the citrus packing industry to record wages and hours worked, just as it required the canning industry to do.¹⁴ Perhaps on the basis of information so gained, Edson believed that the industry was "the finest industry for women in the United States. The wages are very high, the season is not long, and most of the women employed . . . are the wives and daughters of the men who own the orchards."¹⁵ Edson thought community residents much less liable to exploitation than migrants and foreigners. A local work force, then, signaled reasonable working conditions and probably that the women were not working from financial necessity. In 1927-1928, agents reported that the workforce had gradually changed from the "fruit tramp" to community members, and that only 15% of the workers went from one citrus crop to another. In the 1927-1928 season, the IWC reviewed pay reports from 258 establishments employing 7156 women and minors, an average of 28 persons per packing house.¹⁶

Fresh fruit. The fresh, or green, fruit and vegetable industry employed many local residents on a seasonal basis to pack tree fruits, grapes, and tomatoes. Packing often took place on the farms and was all but impossible for the IWC to control, although the number of small production units began to diminish in the late 20's with quality control methods which pooled produce from various farms in shared packing houses. The California Fruit

¹⁴ Edson testimony in: U.S. Commission on Industrial Relations, Final report and testimony (64th Cong., 1st sess., 1916), v. 5, p. 5682.

¹⁵ Edson to Florence Kelley, 15 May 1919.

¹⁶ IWC, Sixth report, 1926-1928, p. 122.

Exchange's movement for quality control -- packing like sizes and qualities together, with trade marks representative of different qualities -- began in 1925. The Exchange then marketed about 40% of the fresh deciduous fruit shipments, and about three quarters of the fruit under its control was packed in shared sheds by 1930 when it began to advertise its trade mark. Other associations had similar arrangements, but much fruit remained under the control of small growers and packers throughout the period, a situation which encouraged IWC lenience since it could not control the industry evenly. In 1927, after pooling had begun, 172 establishments employed 3371 women and minors, an average of about 20 employees per establishment.

Market prices for fresh deciduous fruits varied with size of crop and consumer income. Fruit growers held a highly perishable product and, except for the largest associations, had little leverage with wholesalers. IWC hearings held with employers show the following types of interactions and concessions: 1) To accommodate a season's difficulty in the cherry industry the commission in 1921 lengthened the apprentice period from two weeks to one season, and allowed an audit method of piece rate payment which yielded to 50% of the women not less than minimum wage, with make ups to raise wages to the minimum only. 2) Also in 1921, Watsonville and Sebastopol apple and pear growers were granted lower apprentice wages so that men would not replace women in green fruit packing. 3) In 1924's high unemployment, grower/packers insisted that the order did not cover them. The commission stated that it did, pointed out that the IWC allowed employers to add the value of room and board, when provided, to cash

payments when figuring compliance with minimum wage regulations, and agreed to require no overtime for eight hours' work on Sunday.¹⁷

In 1926-1928, 618 fresh and dried fruit and vegetable packing plants employed 17,285 women and minors, an average of 28 persons per establishment. The average establishment was much smaller than in the canning industry, and operated much shorter seasons than did non-agricultural industries of similar size. Distant locations, short seasons, and other, more consequential IWC regulatory obligations (e.g. the canning industry) made regular investigation of the fruit packing industry difficult. The IWC published extensive data on the fruit and vegetable packing industry in only its 1927-1930 Report, probably because the industry was not large enough to merit more focused attention.

In 1927-1928, when the rising real-dollar value of the IWC budget permitted more inspectors to be employed and special projects to be undertaken, the IWC investigated how well the industry was adhering to regulations. It concluded that annual inspections were not needed in the citrus and grape branches of the industry because wages were high and violations few, but that dried fruit and tree fruit packing operations needed continued checking. In 1929, however, checks were made on only a fraction

¹⁷ IWC meetings 218, 224, and 285 of 20 April 1921, 15 July 1921, and 28 May 1924.

The author had access to fewer than half of the transcripts of conferences in the fruit and vegetable packing industry, the others being seemingly lost or destroyed.

of the plants. In 1930, and again in 1931 with the price of fruit dropping, the commission checked on most plants.

Fruit industry interactions. Different IWC regulations controlled packing of fresh fruit, cutting of fruit for drying, and packing of dried fruit, though the three operations could take place in one location. On at least one occasion workers complained because regulations enforced minimum wage unequally for coworkers.¹⁸ The process of cutting and drying fresh fruit was almost always done on the farm, and was covered by the short-lived agricultural industries order. In 1929, artificial dehydration plants were added to the establishments covered by the fruit and vegetable packing order.¹⁹

UNSKILLED AND UNCLASSIFIED OCCUPATIONS, AGRICULTURAL OCCUPATIONS, AND NUT CRACKING AND SORTING

Among the wage orders issued in 1918 was one for unskilled and unclassified occupations, order number 10. This order regulated occupations which required no special training and which were covered by no other IWC order, including the agricultural processes of nut cracking and egg candling. It expressly excluded the harvesting, curing or drying of any perishable fruit or vegetable. The order, like all other orders, followed the original fruit canning model; it required the minimum wage based on the cost of living study, overtime pay for work beyond standard hours, and

¹⁸ Reported in IWC meeting 226, 13 September 1921. In that case the driers earned minimum wage, while piece rate packers earned less. The commission reaffirmed that general enforcement should be carried out in all packing houses and driers.

¹⁹ California Department of Industrial Relations, Second biennial report, 1930-1932 (Sacramento: State Printer), p. 131.

sanitary and safe working conditions. A few years later an order was created to deal specifically with some of the agricultural occupations which were first covered here; when that order was rescinded, the occupations presumably reverted to the unskilled and unclassified occupations order.

The California Walnut Growers Association believed that wage regulation for nut cracking might work best under an audit system as used by the canning industry. For that purpose, in 1920 the IWC issued an order covering nut cracking, dry yards and other agricultural pursuits, called the agricultural occupations order. The walnut growers' audit proceeded on a voluntary and employer-financed basis, like the canners' audit. Probably only the Walnut Growers Association plants participated, and costs were low, with a total of \$838.22 registered to finance the audit over the 1919-1929 period.²⁰

Walnuts and almonds were California's major nut crops and composed almost the entire U.S. supply of English walnuts and almonds. Walnut production increased steadily between 1916 and 1930, almost doubling, while almond production quadrupled. The state had forty nut-processing establishments which together employed a weekly average of 802 wage earners in 1927. The California Almond Growers Exchange plants hired 150, while the California Walnut Growers Association plants employed 650 who were described by an Association representative in Los Angeles as mostly "foreigners of an ignorant type." The Association houses, which operated much of the year, processed all culls from Association members, in addition to a portion of members' first-quality product.

²⁰ IWC meeting 162, 7 August 1919. IWC, Fifth report, 1922-26, p. 143.

Small, independent nut cracking firms and home workers were difficult for the IWC to control; Association establishments furnished to the commission the names and addresses of non-conforming establishments to aid enforcement. In 1923 the IWC set aside the minimum wage guarantee for the first three weeks of the season, believing that three weeks might be the normal period of operation for the non-conforming establishments, and that the Association plants might thus be put on a more competitive footing.²¹

In early 1920, an Association plant employing 400 could not quiet worker discontent; a reported 25 to 35 complaints were filed with the IWC weekly. In response, management funded a Diamond Brand Walnut Workers Club with grievance procedures and a section for "foreign speaking people." Three hundred joined. Edson spoke at the organization's inaugural meeting and was reportedly the star of the program. A "lucid explanation of the work of her office . . . went far to set matters at rest Her address was received with much applause, and she left the audience room feeling that every woman there was a friend and well-wisher." The plant stopped the use of overtime, and the IWC received no complaints in the six weeks following the event.²²

While the Association-controlled nut cracking establishments cooperated well with the commission, the IWC found that it could not begin to control the cutting and pitting of fruit for drying, the sorting of dry beans, and other work covered in the Agricultural Occupations order and carried

²¹ Census of manufactures, 1927, p. 163. IWC meetings 282 and 315, 4 June 1923 and 18 June 1932. IWC public hearing, 6 October 1919.

²² "A working woman's club," Diamond Brand News 20(2):13 (March 1920).

out in a multitude of fields, small shops and homes. The commission rescinded the order in April 1922 after less than two years' operation, "on the ground of impracticability of enforcement." A new order for nut cracking and sorting (order 15a) passed the next year; the commission discussed an order specifically for fruit cutting for drying but passed nothing until it added the larger dry-yard operations, which used artificial dehydration, to the fruit and vegetable packing order in 1929; and other activities, such as egg candling, again fell under the unskilled and unclassified order.²³

²³ IWC meeting 255, 11 April 1922. California Department of Industrial Relations, Second biennial report, 1930-1932 (Sacramento: State Printer), p. 131.

CHAPTER 7
GOVERNMENTAL RELATIONS

Like other governmental agencies, the IWC had to establish good working relationships with a number of politicians and political appointees to gain support for its work and get a budgetary allocation. Edson traveled regularly to Sacramento to inform legislators and other officials about the commission's work. The support and allocation from the governor, legislators, and members of the state Board of Control indicated to the business community how thoroughly the law would be enforced, while other agencies could handicap or expand the commission's effectiveness.

CIVIL SERVICE

Hiring of the staff occurred at the juncture of the old patronage system and the newly adopted, merit-based civil service system. The commission found it relatively easy to refuse the hiring suggestions from other politicians, but more difficult to work with the civil service system. The difficulty with the merit-based system, once in place, was that drive and the ability to mix with working-class women, two qualities needed in IWC agents, tended to have been trained out of the college graduates who did best on the exams. Commissioner Mathewson threatened to resign over the issue, but the head of the Civil Service beat him to the act after falling out

with Governor Johnson. By June 1915 a new, more flexible Civil Service head was in place.¹

JOHNSON'S BOARD OF CONTROL

The political appointees on the Board of Control approved all disbursements from the state purse. By 1913 the board, newly created in 1911, had exposed graft and mismanagement in practically every agency and calculated that it had saved the state \$750,000.² The board defended state expenditures in efficient departments, however, asserting that "lack of money at this time may handicap the work so that in the future it will be difficult to recover lost ground," and that "visible economy in the conduct of government often leads to extravagant losses to the people of the commonwealth."³

¹ Mathewson to Edson, 14 November 1914 and 19 June 1915. In another context Edson expressed the difficulty that middle-class women had in understanding the workers: "I have learned that it is almost impossible for a woman who comes from the middle or the professional class to understand thoroughly the attitude of women who have to spend their entire lives at labor such as cannery work. Club women who are entering such work as I am doing now always start with the feeling that they thoroughly understand the problems of working women. But if they are genuinely sincere, after a few weeks' work they feel more humble and realize that they must use their imaginations very powerfully indeed if they are to take their minds out of their own comfortable surroundings and transport themselves into the attitude of women who have to work all day long in the canneries, doing hard and monotonous tasks." ("Says welfare work makes club women humbler," San Jose Evening News, probably 7 September 1916).

² Spencer C. Olin, Jr., California's prodigal sons (Berkeley: University of California Press, 1968), p. 42.

³ California. State Board of Control, Report, 1914. p. 4; 1915, p. 4.

Like the Board of Control, the IWC was a Johnson creation; not surprisingly, relations of the two bodies were congenial. Still, several rewordings of IWC resolutions were required to put Edson on salary in 1916. The IWC commissioners, unsalaried, were allowed ten dollar per diems for attending their policy-setting meetings. Edson's salary as executive secretary was to be based on thirty per diems each month, which not surprisingly equaled the wage previously paid to Harry Scheel. The board finally let the arrangement pass, for there was no other way to keep Edson on the commission and pay her for running it. The board's chairman, John Neylan, had already expressed his friendly disposition toward Edson, telling her, "If I may be allowed to speak seriously for just one sentence, I think you are the one woman whose services the State could ill afford to lose."⁴

GOVERNORS AND BUDGETS

The act which created the IWC authorized \$15,000 yearly for expenses.⁵ Hiring of the operational staff and establishing offices were not immediately accomplished in 1913-14, and the budget was not strained. In

⁴ Neylan to Edson, 11 May 1914.

⁵ Statutes of California, 1913, Chapter 324, Section 15. The section specifying a \$15,000 allocation was repealed in 1923.

late 1915, however,⁶ the commission curtailed its meeting schedule to stretch the budget and, a few months later, closed its offices for the duration of the fiscal year. A \$15,000 budget, sufficient for initial investigations, seriously limited continuing investigations and enforcement. With the opening of the canning season in 1916 the commission ceased research on other industries, to assign its entire staff to enforce the canning order, then the only one. Still the commission ran out of money and in December, 1916, obtained an emergency allocation of \$3625 to allow them to print various reports and hold new wage boards and hearings before the June 30 end of the fiscal year.⁷

The 1917 budget marked the beginning of rising allocations through 1922; cutbacks began in 1923 (after the IWC's 1921-22 wage rate dispute, and before settlement of the constitutional challenge to Washington, D.C.'s minimum wage law) under a fiscally conservative governor; and stable

⁶ The author estimated from known 1914 personnel and rent expenses a possible disbursement of the \$15000. Twenty-five meetings were held; an executive secretary, a stenographer, and five agents (perhaps a sixth in Los Angeles) were employed. The estimation:

| | |
|---|------|
| Per diems: 25 meetings x 5 commissioners x \$10 (one absence) | 1240 |
| Travel expense: 3 commissioners (est. \$20 total, coming from Los Angeles, San Jose, and Sacramento) x 25 meetings, | 500 |
| Executive secretary Scheel, \$300 x 12 | 3600 |
| 2 offices @ \$125 per month | 1500 |
| Stenographer at \$75 x 12 | 900 |
| 5 agents at \$100 x 12 | 6000 |
| Special experts | 570 |
| Office supplies, printing, and equipment | 300 |
| Staff travel | 390 |

⁷ IWC, Second biennial report, 1915-1916, p. 17.

funding at 1921 levels prevailed from 1927 to 1931, again under a liberal governor. Budget allocations were:

| <u>Biennium</u> | <u>Requested</u> | <u>Recommended</u> | <u>Allocated</u> | <u>Actually spent</u> | <u>Governor</u> |
|-----------------|----------------------|--------------------|--------------------------|-----------------------|-----------------------|
| 1913-15 | | 30,000 | | ? | Johnson |
| 1915-17 | 30,000 | 30,000 | 30,000. (+ 3,625. E) | 34,664.01 | Johnson |
| 1917-19 | 50,718 | 45,000 | 45,000 (+8,200.E) | 53,200. | Johnson & Stephens |
| 1919-21 | 75,342 | 55,000 | 70,000. (+ 14,000. E) | 83,495.75 | Stephens |
| 1921-23 | 135,875 | 130,985 | 85,000. ^a | 92,006.90 | Stephens |
| 1923-25 | 129,759 ^b | 31,060 | 56,060 | 56,828.70 | Richardson |
| 1925-27 | 85,000 ^c | 56,060 | 78,524 | 75,252.59 | Richardson |
| 1927-29 | | 86,000 | 86,000 | 84,094.47 | Young |
| 1929-31 | | 86,380 | 92,380. ^d | 97,446.24 | Young |

Source: California. State Board of Control. Report on state budget (through 1921); California. Governor. Budget (1923+); and IWC. Report. (E = emergency allocation)

Governor Stephens (1917-1922) was less supportive of minimum wage work and Edson than Johnson had been; Edson asked for letters from women's groups to press for her reappointed in 1922.¹²

^a IWC 4th report, p. 143, shows allocation of \$130,985.

^b IWC meeting 25 March 1923, noted on minutes of meeting 276, 8 March 1923.

^c Edson to Henry Louis, 14 January 1925.

^d The IWC, incorporated into the Department of Industrial Relations as the Division of Industrial Welfare, was not listed separately in the Legislative allocations. Minutes of IWC meeting 300 of 10 May 1929 report a \$92,380 appropriation.

¹² The trouble seems to have owed at least partially to her continuing allegiance to Johnson. (Edson to Lissner, 12 July 1921)

In 1919 the governor presented a low budget in the belief that prices would quickly return to pre-war levels. When they continued to rise, departments made forced economies and presented emergency funding requests. During most of the Stephens governorship the IWC apparently enjoyed the good will of the Board of Control, repeatedly gaining additional funds. In December of 1917, the budget was already \$1000 overspent, yet the commission proceeded to hire two more special agents. In 1918 Edson requested funds to purchase a small motorcar, the most economical method of travel for cannery inspections.¹³ Edson unsuccessful, the entire commission met with the Board in February 1919, and in October a \$10,000 emergency appropriation was granted. In May 1920 Edson again asked for more money and was told there would be none. The commission decided to print new orders anyway and present the bill to the Board, and in August an additional \$1,000 was allocated. In fact, during the 1919-1921 biennium the IWC obtained emergency funds equalling 15.7% of their original allocation.

After the public uproar over the IWC in 1922, the Board investigated Edson's pay, as organized labor requested. From December 1922 her pay -- including daily \$3 expense reimbursements, nonallowable per the Board since she lived in San Francisco -- was withheld, pending a resolution of the investigation. Governor Richardson, who took office in 1923, told Dohrmann that his board considered Edson's salary basis "absolutely illegal."¹⁴ In April 1923, with no pay since November, Edson resolved to quit either 1 June or 1 July, "depending upon the time I get certain work done." The alternative of resigning as commissioner to become simply executive

¹³ IWC meeting 117, 13 February 1918.

¹⁴ IWC meeting 278, 11 April 1923.

secretary -- a path taken by at least one other woman appointed by Johnson -- was not attractive because she would loose her "vote and punch." Dohrmann, who was loaning her money, planned to resign with her.¹⁵ Whether the Board of Control worked through to acceptance of the 1916 practice, or, more likely, pressure came to bear on the Governor to prevent withdrawal of the two strengths of the commission, Edson and Dohrmann did not resign that summer, and Edson's pay resumed.

Friend Wm. Richardson has been described as a "hard-bitten reactionary with almost a phobia about public expenditure", who undertook "to proclaim, almost formally, the demise of the Progressive movement."¹⁶ A Berkeley newspaper publisher who had earned a political appointment from Johnson in an earlier, Progressive incarnation, the new governor Richardson described in his budget message his mandate to cut out useless boards and wreck the political machine which in the past few years had squandered millions of dollars of the people's money.¹⁷ He advocated cutting the IWC from its \$92,000 operation to a \$31,000 shoestring. His budget would have the effect of repealing the minimum wage law, Edson alleged, pointing out that the IWC took the heaviest comparative cut of any department not abolished. The highest paid civil service worker on his budget was a secretarial stenographer.¹⁸ Edson blamed Nellie Pearce,

¹⁵ IWC meeting 278, 11 April 1923. Edson to Dr. Solomon Blum, 20 April 1923. Edson to Mrs. Raymond Robbins, 24 April 1923. Edson told Mrs. Robbins that Richardson thought her an anarchist for daring to criticize the opinion of the United States Supreme Court in reference to the minimum wage decision.

¹⁶ Galdwin Hill, Dancing Bear (Cleveland: World, 1968), p. 70-71.

¹⁷ "Budget message of Friend Wm. Richardson," in: California State Board of Control, Report, 1923, p. IV.

¹⁸ Edson to Mr. Weir and friends of Friday Morning Club, 11 February 1923.

Budget Director of the Board of Control, for the "cruel cut."¹⁹ The commission authorized Edson to write to her contacts in women's groups, while Dohrmann talked with Richardson and the commission appeared before the legislative finance committees. The final cut in the May 1923 appropriation was a little less drastic -- a 63% cut as opposed to the 73% recommendation. The commission moved to two free rooms in the State Building and cut the Civil Service staff from nineteen to eight.²⁰

Under Richardson's administration the state attorney general's office provided little support in a law suit (see above, page 56) challenging the constitutionality of the commission's minimum wage. Donations paid for the services of private lawyers like Felix Frankfurter who made the commission's case, since state lawyers thought a negative outcome a foregone conclusion.

During the 1925 budget season, Edson told Richardson that she and Dohrmann were prepared to resign upon an unfavorable state supreme court decision to the pending suit. The Governor replied that he was entirely satisfied with the way the IWC had conducted minimum wage work, and, Edson reported, "asked me to stay. I was so flabbergasted I hardly knew how to answer." To her complaint on his \$56,000 budget recommendation, Richardson offered a full \$85,000 if the supreme court case were decided favorably and the IWC continued. "He was so courteous and cordial," she told a fellow commissioner, "that I am in doubt as to what it all means."²¹ The 1925-27 appropriation fell short of \$60,000, but was later increased to \$76,000 -- an increase which Edson explained in Richardson's better

¹⁹ Edson to Gentlemen (a legislative committee), 10 March 1933.

²⁰ IWC meeting 282, 4 June 1923.

²¹ Edson to Henry Louis, 14 January 1925. (Edson's emphasis)

understanding of the work. Letters from industry in support of the IWC had shown him that the work benefitted the business climate as well as individual workers. The court case withdrawn, Richardson reappointed Edson "as one of his last acts" in 1927. His timing continued her appointment as long as possible into the unknown political future.²²

Under new governor Clement C. Young, the IWC budget allocation over the 1927 to 1931 period grew, though not as quickly as in the 1917-23 period. Young and Edson shared political philosophies, and Edson joined the executive committee of the C.C. Young for Governor San Francisco Campaign Committee in 1930. That position backfired when his opponent, "Sunny" Jim Rolph, won. Budgets beyond 1931 would concern Edson, but not as intimately because her service as IWC commissioner and head ended. The 1931-33 budget continued stable, but the following allocation carried a 40% cut reflective of constrained state finances.

REORGANIZATION

The legislature ordered governmental reorganizations in 1921, mildly, and 1927, more thoroughly. Consolidations had been suggested since 1916, since overlapping of commissions' jurisdictions caused great irritation to employers faced with conflicting inspections. Edson noted it: "I feel that if we do not do something ourselves, the dear public will rise up and do something to us. There is a great deal of complaint and bad feeling on

²² Kelley to Edson, 26 January 1927. Though commissioners were appointed to four-year terms, governors reappointed continuing commissioners and filled vacant seats sometimes years late. Edson several times continued service beyond the term of her appointment since neither intent to remove nor replace her was announced -- the case here.

account of so many commissions." The 1921 legislature combined the Industrial Accident Commission, Industrial Welfare Commission, Commission of Immigration and Housing (these first all 1913 creations), and the long-established Bureau of Labor Statistics into the Department of Labor and Industrial Relations. The Industrial Welfare Commission's administrative branch was named the Division of Industrial Welfare. The four departments retained all their previous powers, however, and had no overall director. Department heads were to meet and work out overlaps, but each division continued as a separate regulatory unit. In early 1922 Edson wrote, "Our consolidation goes merrily on, and we have found quite a number of places where we believe that the present system is going to bring about a better condition in the state service."²³

In 1927 a more thorough reorganization added the Division of State Employment Agencies to the four commissions of the 1921 union. The renamed Department of Industrial Relations was this time given a director.²⁴ The IWC retained its names, Industrial Welfare Commission for the policy-making body and Division of Industrial Welfare for the staff. Its functions continued unchanged until 1931, when some enforcement responsibilities were transferred to other sections of the umbrella agency.

²³ Edson to Kelley, 18 November 1916. Edson to Mr. R. Justin Miller, 17 February 1922.

²⁴ William J. French, director, also served as chairman of the Division of Industrial Accidents and Safety. He and Edson got on well. (Edson to Louise Drury, 8 March 1928; French to Philips J. Edson, 26 October 1937)

Governors Hiram Johnson (1911 to 1917) and Clement Young (1927 to 1931) favored the IWC's work and strengthened its impact. Other governors hindered the commission's progress to greater or lesser degrees by authorizing budgetary allocations too small to effectively monitor industry compliance. Several state agencies followed the governors' leads in favoring, ignoring, or attacking the commission. Governor Richardson's first term (1923-1925) was the most difficult for the commission, with the budget cut by a third, little legal aid against a constitutional law suit, and Edson's salary held up for months. Yet Edson and other commissioners changed Richardson's attitude, particularly by the show of support they obtained from the business community and women's organizations.

The ability to work in California's changing political environment -- seeking shared goals, explaining the commission's work again and again, maintaining the support of vocal constituencies, and persevering through unfavorable periods -- was crucial to the IWC's long-term success.

CHAPTER 8
EDSON AS A PEER TO MALES

Four men -- political leaders Hiram Johnson and Meyer Lissner, and fellow commissioners A.B.C. Dohrmann and Walter Mathewson -- were significant in Edson's career. Her relationships with them ranged from troublesome, with repeated misunderstandings, to coordinated teamwork with strong personal friendship.

Edson found herself allied with and strategically dependent on two powerful, traditional men. To Hiram Johnson, governor from 1911 to 1917, Edson felt gratitude and demonstrated political allegiance. He and Edson talked infrequently and understood each other only superficially. The other man Edson knew better: A.B.C. Dohrmann, fellow IWC commissioner (1913-31) and chairman of the commission (1919-31). One of the state's leading businessmen, Dohrmann's support was crucial for compliance with IWC orders which were hammered out during the fifty-to-seventy-five hours the commissioners met annually.

JOHNSON

Johnson was the flagbearer of California's Progressive movement which instituted woman's suffrage, political reform, and social innovations such as the IWC. However, he was less a social reformer than a natural leader caught up in a movement. He reacted to personalities rather than evaluated issues, and after he moved to the U.S. Senate in 1917, his politics became more reactionary.

Johnson's inclusion of the minimum wage bill among his so-called Ten Commandments for the 1913 legislature won Edson's undying gratitude.

Ever afterward, she heaped honor and glory on him for supporting the bill and the resulting commission. Edson, of course, was grateful too for the appointment to what became her life's work. In contrast, Edson's early colleague Helen Bary thought that Johnson backed the IWC legislation only "to a mild degree."¹

Working with Johnson was not easy for Edson. Gaining an interview with him required repeated efforts, as in the summer of 1913, after Edson had proven herself a worthy lobbyist in the 1913 legislature and not long before Johnson appointed her to be an IWC commissioner. First there was her long, handwritten letter to the governor: Johnson said he could not make out some words and told her they could talk during his upcoming visit to Los Angeles. But in Los Angeles, his secretary refused her an appointment. Then at a banquet there, Johnson told her to come the next day at 11 a.m. "I was there and about fifty ahead of me," she reported to Lissner. Which led to another long letter. She acted as spokeswoman for southern California's progressive women: "The women of our party put all the things we are interested in, in my hands so [Johnson] would not be bothered with a lot of women calling." She felt pressure to effectively convey their message; as a novice political player, to pick the right balance of diplomacy and pressure; and as an individual and woman, to deal with the indignity.²

Despite his sometime avoidance behavior, Johnson recognized Edson's political worth. When she suggested that someone from Los Angeles be

¹ Edson to Catt, 14 March 1919. Edson to Mr. Harry A. Encell, 1 April 1920. Helen V. Bary, "Labor administration and social security: A woman's life," an interview conducted by Jacqueline K. Parker (Berkeley: Regional Oral History Office, University of California, 1974), p. 48.

² Edson to Lissner, 6 August 1913. Lissner papers.

named to a Labor Bureau vacancy, he appointed her. In January 1913 he took advantage of her lobbying skills by calling her to Sacramento -- at her request.³ But the two seldom interacted during legislative sessions, permitting them on occasion to work at cross purposes. In the wake of the 1913 session he informed her that he had not yet signed her much-amended pre-marriage health certificate bill. "Am studying bill now and think it imperfect unsatisfactory uncertain ambiguous and unintelligible," he wired.⁴ Edson was astounded.

More unsettling to Edson were Johnson's emotional downdrafts. She tried to steady the relationship by supplying what Johnson valued -- loyalty and good press. Since she had many contacts in Southern California, in the women's clubs and Progressive politics, Edson also sent Johnson details on what people thought and why, and how best to present his case to attract them for approaching elections. Her focus on individuals may have resulted from Rowell's comment that Johnson thought in terms of personalities, and that were she to approach him asking for action based on issues or logic, he

³ Edson to Johnson, 20 January 1913. Johnson papers.

Johnson's call supplied excuse for her to temporarily abandon her job. She told Johnson that "nearly every measure that I am interested in has gone before the Legislature in garbled form. It is dreadful to sit chained when you are anxious to be where you can get things straightened out."

⁴ Johnson to Edson, telegram, 5 June 1913. Four days later he wrote Lissner, "I am very sorry that I cannot at present see my way clear to sign Mrs. Edson's bill. The bill is in wretched shape in the first place, and in the second place, intuitively I feel that we have gone far enough with this sort of restrictive legislation," since forcing people to be too good may cause rebellion. (Johnson to Lissner, 9 June 1913. Johnson papers) Johnson did not share his intuitive feeling with Edson, perhaps because he did not wish to show his non-heroic side to a woman.

would only be amused at her reasoning. She continued giving him political advice even when he, out of office and out of favor in Sacramento, could no longer help her handle IWC troubles.⁵

She tried not to set off his depressions. When Edson realized that an East Coast speaking tour for the Suffrage Amendment would displease Johnson, she backed out at the last minute. "Go by all means," he had said, "but I could see by his face that he was hurt, and thought I was deserting," Edson wrote to her East Coast sponsor. "I could never talk for suffrage if he were defeated or the Redlight Abatement Act failed to carry [in the 1914 election], if I was not sure that I had done my whole duty to both." So Edson did not go, though the New York suffrage organization had bent over backwards to meet Edson's conditions. The governor's feathers were ruffled, however, and Edson wrote his personal secretary to ask to "get reinstated in the Governor's good graces." She would "never have dreamed of going if I had not thought that the [election's] outcome was absolutely sure."⁶

Edson and Johnson both recurred to their common friends, Chester Rowell, a Fresno newspaper publisher, and Meyer Lissner, a Los Angeles lawyer, to verify the import of the other's communications. To a perplexed Edson, Rowell explained that Johnson had difficulty with assertive women, but still appreciated her. He concluded, "It is doubtless a good thing for you to retain just enough of that doubt of yourself" to prevent Johnson from

⁵ He did offer her federal jobs when she feared joblessness; these were not in her field, however.

⁶ Edson to Catt, 1 November 1914. Edson to McCabe, 4 November 1914. Bary, "Labor administration," p. 48.

reacting negatively.⁷ Edson often expressed that doubt of herself in phrases turned to gently flatter the other person at her own expense. Her mild and humorous complaint when she reminded the governor of her trials in gaining an interview with him probably engendered good feeling.⁸

"I hear I am in bad with the Governor," she wrote Lissner on another occasion. "Would you be good enough to tell me the truth in the matter, and wherein is my offense? I thought that from a lifetime of living with a highly temperamental person I was more or less adept at knowing how to get along, but I seem to have put my foot in it every time I have seen him recently. Is he seriously offended with me?"⁹

Johnson had difficulty with women voters in general, not just with Edson. He distrusted their support for social reform and doubted Edson's reports on female electoral support in southern California, despite the accuracy of Edson's predictions. In campaign tours he consistently avoided

⁷ Rowell to Edson, 29 August 1913. The quote in full: "You realize that he is by temperament anti-suffrage. He is committed to women's suffrage and logically approves of it, but in temperament it has been hard for him to adjust himself to it. It is not easy for him to take a serious woman seriously, especially in politics, and so far as I know you are the only woman whom he does so take. It is doubtless a good thing for you to retain just enough of that doubt of yourself to make sure that the proper limits of suggestion will be self-imposed instead of having to be imposed from outside. But I think your real danger is in exaggerating that limit and of failing to make suggestions when they would be well received and welcome."

⁸ Edson to Johnson, 29 January 1914. Lissner once wrote that she should be elected president of the Good Fellow Society for saying such refreshingly ingenious and pleasant things. (Lissner to Edson, 26 December 1913)

⁹ Edson to Lissner, 19 March 1917.

addressing Los Angeles women's groups, over Edson's protests, while he managed to fit men's groups into his tight schedule.¹⁰

He appointed few of the people -- male or female -- which Edson suggested for political jobs. Johnson's women appointees were too few, she believed. Usually her expectations were modest. On the Industrial Welfare Commission, for example, she thought one woman sufficient, for though it dealt specifically with women, employers were almost exclusively male. In the case of the girls' reform school in Whittier, however, she demanded an all-women board of directors. She asked Rowell to sway the Governor: "Mixed board will be great disappointment to women and disastrous politically This will precipitate criticism and give color to opinion that he does not trust ability of women. This is our job."¹¹ A 1916 letter reveals Edson's frustrations with Johnson's attitudes toward women:

My dear Governor:

Your letter of the 12th in answer to mine about the San Francisco Civic League has just come to me. You have made it rather difficult for me to reply to these women, which I shall not do until I have again heard from you. I feel that you have a perfect right to refuse their invitation, which was given with the greatest cordiality, if you so desire, and I shall be very glad if you will let me say that you regret your inability to be present and that you hope at some future time you could appear before them. I believe that 80% of them are your honest friends and women who have cordially supported and are supporting you today, and they are anxious for you to appear and convert the other 20%.

We women may have different ways of doing things and we may take our politics a little more seriously than we will after we have been more disillusioned, but at the present time women have a notion that they would like to see and hear the men that are going to be their representatives before voting for them. Of course many know you and have shown again and again their belief and confidence in you, and I know this invitation was sent solely to extend to you a courtesy and not "citing you to appear".

¹⁰ Johnson to Martin, 29 July 1914; Johnson to Fremont Older, 28 February 1914; Gibson to Johnson, 27 September 1913. Johnson papers.
Edson to Elsinore Crowell, 8 March 1918.

¹¹ Edson to Rowell, undated, 1913.

I am awfully sorry that you think it necessary to remind me again about women's attitude toward the suffrage question. I did believe that after this primary you would begin to have some faith in us, in our discretion and in our absolute consistent devotion to you personally and for what you stand in the state. You told Mrs. Gibson and me one day at the Virginia Hotel that you believed if you received this primary nomination it would be the women of this state who would be largely responsible for it. It doubled courage and desire to make your fight because we felt you had some appreciation of the attitude that we and other women had toward politics.

When I receive a letter like this last one it hurts me more than you will ever know because it makes me feel that we can never prove to you that we are worthy of citizenship and that you believe us to be so. I suppose I should not write you like this but we have been and are such good friends that I think you do not mind my telling you just exactly how I feel about this matter. You have shown me personally every consideration and appreciation and honored me by giving me a great responsibility. I am not at all different from the other women of this state and I will never be satisfied until you have the confidence in all the women of California that you have so kindly shown you have in me. The women of this state are working for you and voting for you because we believe we are sending to the United States senate our champion - a man who will give justice to the women of the nation as you and the men of California gave to us. If you do not believe that there are thousands of women who worked hard for you in Southern California, end up here too, because you came out for the federal amendment, ask Mr. Dickson or Mr. Lissner.

May I finish this very indiscreet letter by paraphrasing my favorite poet, Walt Whitman? A thought on:

Confidence, faith, devotion:

As I stand aloof and look,
there is to me something profoundly
affecting in large masses of women,
following the lead of those who do
not believe in women.

I am, as always, yours loyally, 12

In reply, Johnson enumerated where women served his administration. Although these were the exceptions that proved the rule, Edson let the matter lie.¹³

DOHRMANN

A.B.C. Dohrmann served on the Industrial Welfare Commission from 1913, and as its chairman from 1919, until his resignation in 1931. He was perhaps the best known employer of women in California. With headquarters in San Francisco, he owned large shares of the Emporium department store, the St. Francis Hotel, and the Curry Service of Yosemite, where he entertained royalty. His father, W.F. Dohrmann, also prominent in

¹³ Johnson to Edson, 7 April 1916. His enumeration:

"The Minimum Wage Commission, - that is, the Industrial Welfare Commission, - is really now in the hands of a woman with splendid results.

The Immigration & Housing Commission owes much of its success to the excellent work of a woman.

The Social Insurance Commission is doing its work substantially because of the activity of the women who constitute the membership of the Commission and its Executive Officer.

The Girls' Training School is managed and directed wholly by women.

The State Board of Education has its full proportion of women, whose work is of unquestioned value.

The State Board of Health has its women member who has added much to the brilliant record of the present Board.

The Tuberculosis Department is conducted by a woman.

Upon the new Board of Managers of the Norwalk State Hospital a woman was duly appointed, but subsequently, she resigned that she might become Secretary of the Board.

The Board of Control, in dealing with that is popularly known as the Mothers' Pension fund, does its work wholly through three women Children's Agents.

The State Board of Charities & Corrections has its women representatives.

If you will look over the field, you will find that I have appointed very many women, and that we can be just as proud of the official service rendered by those women as by the men that I have appointed. Two very notable examples in this regard are yourself and Mrs. Gibson, and you could run over a long list of like sort."

business, was in 1914 president of the California Retail Dry Good Association. The Dohrmann reputation and influence among the employers with whom the IWC dealt eased the commission's work. Helen Bary, the IWC's special agent in Los Angeles, reported that she found his name an excellent entree with employers: "They all knew who he was." After explaining that Dohrmann was a guiding light of the commission, she would speculate to the employer, "You probably are a friend of Mr. Dohrmann's." She found "they were always pleased at the suggestion."¹⁴

Dohrmann must have represented stability, influence, and financial ease to Edson. Special agent Bary says that the security he offered swayed Edson from her more progressive ideas.¹⁵ "He made her realize how powerful he was. I watched from the sidelines the effect that he was having on her, of making her feel that if anything should happen to the commission, he could put her in the way of profitable employment. . . . A great many things like that happened. You can't call them bribery; they influence people. He never gave her anything, but he influenced her."¹⁶ Security was attractive to Edson because she lacked it. Her husband's earnings were meager, and she became self-supporting after separation and divorce in 1918 and 1925. On her own, as a political appointee with children to send through college, her future was insecure, while Dohrmann never feared losing his livelihood in the next election.

The evidence, however, shows that Edson obtained valuable support for IWC goals from Dohrmann, and that she worked with him to secure employers' compliance with IWC rulings rather than to obtain financial

¹⁴ Bary, "Labor administration," p. 55.

¹⁵ Bary, "Labor administration," p. 49-55, 87.

¹⁶ Bary, "Labor administration," p. 51.

security for herself. Others offered Edson administrative appointments when she feared for her IWC job, but as the progressive era ended and the public offered less support for the IWC's reforms, the cooperation of supportive businessmen became more prized. Edson came to trust Dohrmann's commitment to the minimum wage, if only to forestall unionization. We see evidence of this commitment in his 1923 offer to employ Edson in a national campaign for a constitutional amendment permitting minimum wage regulation.¹⁷

As a representative of the retail sector, Dohrmann was scarcely a crusading reformer. "He was quite frank in saying that he was on the commission only to keep it from doing something wild," reported Bary. Dohrmann opposed a "real" minimum wage because "he [did] not wish to see industries of the state put at a disadvantage or cause less employment for women now employed." But if Dohrmann swayed Edson, the reverse also occurred. Another IWC commissioner, Walter Mathewson, credited Edson with bringing Dohrmann "to the front" in demanding action from the canneries. "Only way out with Mr. D. [is] to put up a fighting front and refuse to compromise," counseled Mathewson in 1916. "He doesn't give a damn about anybody else but he does want to suit you." Edson supplied the commission's impetus, and Dohrmann wanted to retain her. Nevertheless, Bary saw Dohrmann undercut Edson's self-confidence. "He made her realize that she did not know very much. That was important to him He made her feel very definitely that she didn't know this and she didn't know that, and that he did know." Mathewson reassured her: "He [Dohrmann] has beyond any doubt a splendid opinion of your ability and the easy manner in

¹⁷ Edson to Johnson, 1 March 1921 and 23 May 1921. Lissner to Edson, 31 January 1922.

which you take a hold of anything and learn to do it right. Some day I will go more fully into his opinions and criticism in this regard, most of which I agree with absolutely."¹⁸

Dohrmann did prove helpful to Edson financially. During a leave of absence from the commission in 1922, to attend the Armament Conference in Washington, he loaned her \$478.38. In the next year when the Board of Control held up her salary for five months, he advanced her \$1744.80.¹⁹ All letters to him remained formal, however,²⁰ and she respected his limits. "Knowing Mr. Dohrmann as I do, I think it is perfectly useless to discuss anything with him until he is ready to discuss it." She asked a common friend to intercede with Dohrmann on a personal matter: "I don't mind writing frankly to Mr. Mathewson, and as far as that goes, I don't mind writing Mr. Dohrmann also, but I thought a word from you would help."²¹

Despite their differences, the two worked as a team. While Edson recognized that she needed Dohrmann's influence for the commission, Dohrmann appreciated her administrative capability and pragmatism. In 1923 Edson thought the governor wanted her resignation, and Dohrmann planned to resign with her. When she was ousted in 1931, Dohrmann vacated his commissioner's seat too.

¹⁸ Bary, "Labor administration," p. 86. Mathewson to Edson, 24 December 1914, 14 April 1915, and 25 January 1916. Bary, "Labor administration," p 51. Mathewson to Edson, undated [late 1915]. Mathewson's full details, if disclosed, were not recorded for posterity.

¹⁹ IWC meeting 255, 11 April 1922; Edson to Dohrmann, 21 February 1922 and 28 July 1923.

²⁰ As opposed to Mathewson, whom Edson informed that the cordial salutation was what she expected from him.

²¹ Edson to Katherine, 11 December 1922; Edson to Ben Schlessinger, 15 October 1914.

LISSNER

Edson's relations with her mentor Meyer Lissner were more relaxed than with Governor Johnson or A.B.C. Dohrmann. As a leader of the Progressive Party in Los Angeles, Lissner was first impressed with Edson during her work for the 1912 convention of the National Municipal League in Los Angeles. She served under him on the arrangements committee, led the entertainment subcommittee, and spoke at the meetings on the operation of women's suffrage in Pacific Coast cities.

Like others in the party, Lissner was quick to use women leaders to build female support for the Progressives. The activities of most such women were limited to attending banquet and signing petitions, but Edson, in contrast, became thoroughly involved in the political process. She joined strategy sessions, worked at the grass-roots level, and won appointments on the National Municipal League board, the state Progressive Executive Committee, and the Executive Committee of the Los Angeles County Central Committee. Later she joined Lissner on the National Republican Central Committee.

As a team player, she did what we now call networking. She planned her electioneering tours with her principal male contacts, Lissner and the Fresno newspaperman Chester Rowell. Edson's push for a suffrage resolution in the 1912 General Federation of Women's Clubs convention had apparently been discussed beforehand with Lissner. A letter describing the event to him was signed, "Cordially, 'your handmaiden':"²²

Lissner and Edson disagreed over some issues; for example, he thought the Eight-Hour Law, which she heartily supported, a "great mistake." This

²² Edson to Lissner, July 1912. Lissner papers.

did not, however, upset their relationship, perhaps because Lissner enjoyed Edson's company. He explained why in verse:

"A man can talk with Mrs. Edson.
Her brain works like a man's.
She thinks like a man and talks
A language that a man can understand.
In Washington they are asking for "he men,"
Mrs. Edson is a "she woman."²³

Besides being committed to equal treatment for women, Lissner was the best of friends with Governor Hiram Johnson. He was instrumental in Edson's appointment to the Bureau of Labor Statistics, and interceded to hold Johnson to his agreement that Edson's pay would equal male agents'.²⁴ Other gender-based complaints were less amenable to resolution, as when Edson wrote, "I envy you being a man so you can go to that dinner party at Dr. McBride's. You see women haven't yet entirely arrived. I know my only handicap with Dr. McB. is that I am a woman."²⁵

Edson schooled herself on Lissner's style. She wrote in late 1919, "I have watched you closely this past year and have learned much from you. Your remarkable patience and fairness and lack of bitterness have been to me a constant revelation." An encouraging, influential, and steady married friend buttressed the self-esteem shaken by her own failing marriage, and she declared that "one of the few things I have to be thankful for the past year has been your friendship."²⁶

²³ Edson to Elsinore Crowell, 8 March 1918

²⁴ Lissner to Johnson, 20 September 1912; Johnson's executive secretary to Lissner, 23 September 1912; Lissner to Frank Griffin, Executive Office, 20 September 1912. Johnson papers.

²⁵ Edson to Lissner, 1913. Lissner papers

²⁶ Edson to Lissner, December 1919.

Edson increasingly spent her time in San Francisco after becoming the IWC's administrator. She maintained contact with Lissner who, like Johnson, offered her another government appointment during the IWC storms of 1922.

MATHEWSON

Walter Mathewson was the one labor representative who supported Governor Johnson enough to be appointed to the Industrial Welfare Commission. He worked for the Building Trades Council in San Jose. A few years younger than Edson, and raising at least one daughter, he supported equal pay for women. In the IWC he was ready to fight under Edson's leadership, just as Edson fought under Lissner's in the larger arena of California politics. "Just hand me the program and I will not only take it but try to get the others to see it our way," he told her.

For two years, 1914-1916, Mathewson and Edson rode the same train into San Francisco, using the trips for what Mathewson called "a little session of our own to take up [your reports], going over them, putting in the individuals with their varied personalities as you have found them and the interests that they represent."²⁷

Though Mathewson worked closely with Edson, his activity was less apparent to others. Helen Bary, Edson's Southern California assistant, thought that he was not overly effective for labor on the commission and considered him "rather a silent member."²⁸ He took strong, isolated positions on only a few occasions over wage rates. Behind the scenes, though, he helped Edson find the most convincing arguments to present to Dohrmann and Murasky.

²⁷ Mathewson to Edson, 23 February 1914.

²⁸ Bary, "Labor administration," p. 50.

Mathewson was instrumental in Edson's assumption of IWC administrative leadership in 1915. He told her how highly other commissioners regarded her and encouraged her to take the executive post on the commission, something she wanted but was unwilling to reach for over the incumbent, Harry Scheel, who allied himself with Dohrmann. Her susceptibility to emotional strain would not have allowed her to make such a move without being prodded (even so, she retreated to a sanatorium that summer).

Scheel had been hired from the Bureau of Labor Statistics for his expertise in gathering good statistics, but a year and a half had shown that he was neither an administrator nor eager to initiate the IWC's regulatory responsibilities. He overspent the budget without producing results, and alienated IWC staff. Mathewson finally blew up: "I don't care to hear anything more about Harry, as far as I am concerned I am thru and nothing you, he, or anyone else could say would change my opinion in this regard. I want you and no one else to run the job." Had Mathewson not been adamant, the situation might have dragged on, for Scheel preferred to keep the job. In the case of Scheel, as in other cases, Mathewson and Edson decided what they wanted; Edson persuaded Dohrmann, then informed Murasky of the three's agreement.²⁹

Mathewson and Edson remained allies even after he abandoned his unsalaried commissionership in 1926 to assure continuation of his salaried appointment as Labor Commissioner. Edson, who had instigated his 1921 Labor Commissioner appointment, sometimes still consulted with him over proposed changes in IWC orders.

²⁹ Mathewson to Edson, 14 April and 21 July 1915. Bonnheim apparently carried little weight in policy arguments.

Mathewson was in some ways more protective of women than Edson. He objected to lower wages for the IWC's entirely female work force than those paid male investigators at the Labor Commissioner's office, while Edson apparently was content to make the budget go further.³⁰ And in 1928 Mathewson, as head of the Labor Bureau, made an unsuccessful legislative attempt to recover enforcement responsibilities for the women's Eight-Hour Law, those having shifted to the IWC from the union-oriented Bureau years earlier at his suggestion. Unlike Edson, Mathewson wanted to enforce the hours limitation for high-paid, in addition to low-paid, women -- to prevent ones like Edson from working long hours.³¹

³⁰ Mathewson to Edson, 15 December 1913.

³¹ Edson exempted high-paid women from the limitation, because inability to work longer hours could effectively prevent women from gaining management positions. Her stance responded to a Women's Party objection to protective legislation.

Males' workdays were largely unregulated in California. Only work on government contracts (e.g. construction and road work) had hour limitations.

Chapter 9

CONCLUSION

Edson, Dohrmann, and Mathewson came together on the new Industrial Welfare Commission in 1913 and served as the commission's core until the late 1920's. Edson fought for the creation of the body and, as Executive Commissioner, was most responsible for setting the IWC's direction. An effective and dynamic administrator, she engendered intentness and loyalty in her staff and confidence in the other commissioners, who regularly asked her to design the proposal, compromise, or statement and who occasionally validated what she had already done. Dohrmann, with high status and influence in the business world, had accepted appointment to prevent the new commission doing anything wild. An enlightened employer, he appears to have consistently supported Edson's major policy moves, while Edson moderated her goals to maintain his support. Mathewson, as Edson's fellow labor representative, served as her labor conscience and alter-ego.

These three, all Progressives in 1913, agreed with California's citizens that what the businessman paid employees was no longer his private affair, and that the business which could not pay a living wage was not desired in California. California's relative isolation and unique agricultural products meant that the business community would lose little business to out-of-state firms despite lower wages elsewhere. The California commission instituted the highest minimum wage rates in the U.S., and administered them to the benefit of large numbers of women, despite rulings of unconstitutionality for

similar laws from other states after 1923. It took special care to control the canning industry, which employed the majority of California's working women, and expended considerably less effort on the other agricultural industries which employed relatively few women per establishment. The commission's success varied from industry to industry and over time, according to economic pressures on management as well as the IWC's regulatory staffing.

The commission's organic law passed because people recognized that women's wages were set in a fashion clearly distinct from men's wages, which were expected to support a family. Its passage indicated a belief that a full-time woman worker should earn enough to support herself respectably. Equal pay for equal work was not considered; and while the minimum wage produced an anti-discriminatory effect on racial and ethnic bases, that effect was not sought. Rather, Edson intended that the wage for native workers should not be pulled down by the un-Americanized workers' willingness to work. Ethnic workers rarely appeared on wage boards or at public hearings, and workers from unassimilated ethnic groups seldom registered complaints, perhaps not understanding the protection which the commission offered.

The commission preferred to operate by building consensus and cooperation rather than through confrontation. Edson's skill in negotiation, Dohrmann's leadership among managers, and Mathewson's resolute concern for labor's wages all worked to produce industrial compromise. The commission seldom prosecuted for noncompliance with the commission's sanitary orders, overtime rates for adult women, or rates for minors; only employers who willfully ignored the commission's repeated requests for

compliance with these constitutionally-safe regulations faced legal charges. On the occasions when the commission did prosecute, it was successful.

A general acceptance of all IWC orders, including minimum wage rulings, prevailed in the teens, but as the mood of the times shifted away from social idealism in the 1920s, cooperation from the business community waned. Violators of the basic minimum wage stipulations for adult women were intentionally not taken to court, especially after 1923 when the constitutionality of the minimum wage portions of the California law seemed questionable. The California law, reinforced by an amendment in the state constitution, might have been upheld despite the negative precedent of the District of Columbia law, but success was hardly assured with the conservative U.S. Supreme Court of the 1920s. California's attorney general preferred to avoid litigation which he expected to be long and expensive, and which he also expected to lose. The commission itself had long chosen to focus on the spirit of the law, not on the letter -- a stance adopted in the commission's first years when Edson and Bary refused to talk to cannery lawyers.

Without legal recourse for infraction of the minimum wage standards for adult women, the commission's makeup orders and then the audit itself were increasingly ignored in the canning industry after 1925, first in the south and, after 1930, in the north too. Economic depression after 1929, plus the influx of laborers in those years, threatened minimum wage compliance. The times were disorderly, and many canneries -- the largest employers of California women -- concerned themselves with the short run and were willing to break wage rules. The fixed piece wage rates, a second level of assurance toward a living wage, appear to have held firm until after

Edson, Dohrmann, and Mathewson all left the commission. Mabel Kinney replaced Edson as IWC executive commissioner in 1931, and under her direction the IWC relaxed its standards further -- including a lower rate for agricultural processing than for non-agricultural occupations -- and made compliance even more dependent on businesses' will. Left to conjecture is the question whether the philosophy of cooperative social reform, exercised by the commission under Edson, would have better obtained the cost of proper and healthful living for California working women through the Depression years than did the politically expedient posture adopted by Kinney's commission.

Edson asserts that her commission could have maintained minimum wage compliance through the Depression, although compliance had begun to slip before she lost the leadership. Did Edson's effectiveness in the IWC decline before her ouster? Edson accepts no such possibility, although the age of sixty and a history of serious illnesses might commonly reduce one's stamina for sixteen-hour days such as Edson put in during her forties. While the question is not resolved, Edson's physical stamina was so greatly diminished by 1930 that her continued nimble intelligence seems in itself insufficient to maintain such demanding work. Businesses and social organizations which had formerly rallied to her support did not do so in 1930-1931; changes in her own capabilities may partially explain why the business community did not decry her removal.

--

In 1923 Edson and Dohrmann had called for a national minimum wage law and a Constitutional amendment which would remove the question of constitutionality and also lift the competitive disadvantage befalling isolated states which maintained minimum wage rates. Ten years later the National Industrial Recovery Act's minimum wage law, and others that followed it, removed the pressure from the California Industrial Welfare Commission. Not until the mid-1940's did a new set of commissioners undertake the next general revision of IWC orders.

Dohrmann's goals of preventing unionization were met during his service and several years beyond; whether a wage floor prevented unionization may be questioned, since women workers avoided unions for their own reasons.

Edson, who devoted the last third of her life to the assurance of a living wage to California's working women, was successful in raising their standards of living for a decade. The proven benefits and workability of minimum wage legislation as seen in California may have influenced the success of national minimum wage legislation for both sexes during the New Deal.

One may question the desirability of working tooth and nail, as Edson did, to hold together a system which could collapse as soon as the dedicated administrator leaves. Except in the fury of 1922 attacks, Edson never seems to have wished to escape to a slower or quieter life. Although the frustration of her work seems to have contributed to her early death, the goal gave her life larger meaning in benefit to others while the setting allowed her to exercise her administrative and diplomatic capabilities in ways not generally available to women of her era.

BIBLIOGRAPHY

Manuscript collections:

- California. Industrial Welfare Commission. Minutes of meetings.
Unpublished typescripts in office of Industrial Welfare Commission,
San Francisco.
- Katherine Phillips Edson papers. Research Library, University of
California, Los Angeles.
- Hiram Johnson papers. Bancroft Library, University of California,
Berkeley.
- Meyer Lissner papers. Greene Library, Stanford University.
- Chester Rowell papers. Bancroft Library, University of California,
Berkeley.

Other Sources:

- Anthony, Donald. "Labor conditions in the canning industry in the Santa
Clara Valley of California." Ph.D. diss., Stanford University, 1928.
- Bary, Helen V. "From minimum wage to mass production." Yale review
16:57-71 (October 1926).
- Bary, Helen V. "Labor administration and social security: A woman's
life," an interview conducted by Jacqueline K. Parker. Berkeley:
Regional Oral History Office, University of California, 1974.
- Blackford, Mansel G. The politics of business in California, 1890-1920.
Columbus: Ohio State University Press, 1977.
- Blair, Karen J. The clubwoman as feminist: True womanhood redefined,
1868-1914. New York: Holmes & Meier, 1980.
- Braitman, Jacqueline R. "A California stateswoman: the public career of
Katherine Phillips Edson." California history 65(2):82-95 (June 1986).
- Brown, Martin and Peter Philips. "The decline of piece rates in California
canneries, 1890-1960." Industrial relations 25(1):81-91, winter
1986.
- Cahn, Frances, and Valeska Bary. Welfare activities of federal, state and
local governments in California, 1850-1934. Berkeley: University of
California Press, 1936.

- California. The statutes of California and amendments to the codes passed at the fortieth session of the Legislature, 1913, began on Monday, January sixth, and adjourned on Tuesday, May twelfth, nineteen hundred and thirteen. San Francisco: Bancroft-Whitney, 1913.
- California. Bureau of Labor Statistics. Labor conditions in the canning industry. Sacramento, State Printer, 1913.
- California. Crop and Livestock Reporting Service. California fruit and nut crops, 1909-1955: Acreage, production, utilization, value. Sacramento, 1956.
- California. Fish and Game Commission. Biennial report. Continued as: California. Department of Natural Resources. Division of Fish and Game. Biennial report.
- California. Fruit Growers and Farmers Convention. Proceedings. various years.
- California. Industrial Welfare Commission. Biennial reports and Reports. Continued in: California. Department of Industrial Relations. Biennial reports and Reports.
- California. Industrial Welfare Commission. The regulation of the fruit and vegetable canning industry of California. Sacramento, California State Printing Office, 1917. Also published as its: Report on the regulation of wages, hours, and working conditions of women and minors in the fruit and vegetable canning industry of California. (Bulletin; 1)
- California. State Board of Control. Budget. various editions.
- California Fruit Exchange. Annual report. Sacramento, 1923-34.
- California Labor Code and California Statutes. various editions.
- "Calpak: The adventures of Del Monte brand." Fortune, 18(5):77-82, 100-110 (November, 1938).
- Castelfranco, Paul A. "The McNamara case: a crisis of the Progressive era." Southern California quarterly 59(3):271-287 (fall 1977).
- Chafe, William Henry. The American Woman: Her changing social, economic, and political roles, 1920-1970. New York: Oxford University Press, 1972.
- Clark, Lindley D. Minimum-wage laws of the United States: Construction and operation. Washington: U.S. Bureau of Labor Statistics, 1921. (Bulletin of the U.S. Bureau of Labor Statistics; 285)

- Couchman, Robert. The Sunsweet story: A history of the establishment of the dried tree fruit industry in California and of the fifty years of service of Sunsweet Growers, inc. San Jose: Sunsweet, 1967.
- Crockett, Earl C. "History of California labor legislation, 1910-1930." Ph.D. diss., University of California, Berkeley, 1931.
- Cumberland, William Wilson. Cooperative marketing, its advantages as exemplified in the California Fruit Growers Exchange. Princeton: Princeton University Press, 1917.
- Daniel, Cletus E. Bitter harvest, a history of California farmworkers, 1870-1941. Berkeley: University of California Press, 1982.
- Duddy, Edward A., and David A. Revzan. The physical distribution of fresh fruits and vegetables. Chicago: University of Chicago, School of Business, 1937.
- Eaves, Lucile. A history of California labor legislation with an introductory sketch of the San Francisco labor movement. Berkeley: The University Press, 1910. (University of California publications in economics; vol. 2)
- Edson, Katherine Philips. Statement to the women's organizations of California on the present status of minimum wage legislation in this and other states. N.p.: Industrial Welfare Commission, 1922.
- . What California has done to protect its women workers. Published biennially, 1921-1929. Title varies.
- Famous American women, edited by Robert McHenry. New York: Dover, 1980. p. 118.
- Federal Writers' Project. [17 papers in preparation for a documentary history of migratory farm labor in California.] Oakland, 1938. Topics include: Labor in California peach crop; Labor in apple orchards; Labor in the market pea crop; Wage chart by crops, state of California, 1865-1938. Typescripts at Bancroft Library, University of California, Berkeley.
- Frankfurter, Felix. Brief on behalf of amici curiae supporting respondents' contention: In the Supreme Court of the State of California, Helen Gainer, plaintiff and appellant, vs. ...the Industrial Welfare Commission of the State of California, defendants and respondents. San Francisco: California Supreme Court, 1922. (Supreme Court Brief. S.F. no. 10,990)

- Frankfurter, Felix, and Josephine Goldmark. The case for the shorter work day: Supreme Court of the United States, October term, 1915: Franklin O. Bunting, plaintiff in error, vs. The State of Oregon, defendant in error. New York: National Consumers League, 1916?
- Frankfurter, Felix. Felix Frankfurter reminisces, recorded in talks with Dr. Harlan B. Phillips. New York: Reynal & Co., 1960.
- Frankfurter, Felix, Mary W. Dewson, and John R. Commons. State minimum wage law in practice. N.p., National Consumers' League, 1924.
- Fuller, Varden. "The supply of agricultural labor as a factor in the evolution of farm organization in California." Ph.D. diss., University of California, Berkeley, 1939. Also published in LaFollette Committee Hearings, pt. 54, exhibit 8762-A. U.S. Congress. Senate. Subcommittee of the Committee on Education and Labor. 76th Cong., 3d sess., 1940.
- Goldmark, Josephine C. Impatient crusader: Florence Kelley's life story. Urbana: University of Illinois Press, 1953.
- Hichborn, Franklin. Story of the session of the California legislature of 1911. San Francisco: James H. Barry, 1912.
- . --- of 1913. San Francisco: James H. Barry, 1913.
- Hill, Gladwin. Dancing bear: An inside look at California politics. Cleveland: World Publishing, 1968.
- Hundley, Norris C., Jr. "Katherine Philips Edson and the fight for the California minimum wage, 1912-1923." Pacific Historical Review 29:271-85 (August 1960).
- Johnson, H. Thomas. "Postwar optimism and the rural financial crisis of the 1920's." Explorations in economic history. 2:173-192 (winter 1973-1974).
- Johnston, Paul D. "Aptos and the mid Santa Cruz County area from the 1890's through World War II." Santa Cruz, 1973. (Oral history transcript)
- Kenneally, James Joseph. Women and American trade unions. 2nd. ed. Montreal: Eden Press Women's Publications, 1981.
- Lee, Lawrence B. "California water politics." Journal of the West 24(4):63-81 (October 1985).

- Loewy, Jean. "Katherine Philips Edson and the California suffragette movement, 1919-1920." California Historical Society quarterly 47(4):343-350 (December 1968.)
- MacFarlane, Peter Clark. "A California "stateslady": An everyday American of tomorrow." Colliers 52(7):5-6, 29-31 (1 November 1913).
- McEntire, Davis. The labor force in California: A study of characteristics and trends in labor force, employment and occupations in California, 1900-1950. Berkeley: Institute of Industrial Relations, University of California, 1952.
- McWilliams, Carey. Factories in the field: the story of migratory farm labor in California. Boston: Little, Brown and Company, 1939.
- "The men and women of the Yolanda" / interviews conducted by Shipley Walters.
Davis: University of California, Shields Library, Oral History Center, 1980.
- Mestre, Harold. Seating of women and minors in the fruit and vegetable canning industry of California. Industrial Welfare Commission. Bulletin 2a. Sacramento: State Printing Office, 1919.
- Meyer, Albert J., Jr. "History of the California Fruit Growers Exchange, 1893-1920." Ph.D. diss., Johns Hopkins University, 1952.
- Miller, Margaret T. "Historical review of minimum wage issues." (San Francisco), California Department of Industrial Relations, 1985.
- "Mrs. Charles Farwell Edson." Pacific Empire Press Reporter, 1(2) (28 May 1913).
- Nash, Gerald D. American West in the Twentieth Century, a short history of an urban oasis. Englewood Cliffs: Prentice-Hall, 1973.
- National Lawyers Guild, San Francisco Chapter. Report on minimum wage enforcement. San Francisco, 1938.
- Notable American Women, 1907-1950 / ed, Edward T. James. Cambridge: Belnap Press of Harvard University Press, 1971. Articles on Katherine Philips Edson and Jessica Blanche Peixotto, vol. 1, p.562-4 and vol. 3, p.42-3.
- O'Neill, William L. Divorce in the Progressive era. New Haven: Yale University Press, 1967.
- . Everyone was brave: The rise and fall of feminism in America. Chicago: Quadrangle, 1969.

- Parker, Corleton H. The casual laborer and other essays. New York: Harcourt, Brace and Howe, 1920.
- Philips, Peter Woodward. "Towards a historical theory of wage structures: the evolution of wages in the California canneries, 1870 to the present." Ph.D. diss., Stanford University, 1980.
- A record of twenty-five years of the California Federation of Women's Clubs, 1900-1925, Mary Gibson, comp. N.p.: CFWC, 1917.
- "Results of minimum wage legislation in the California canning industry." Monthly Labor Review 6(2):138-42 (February 1918).
- Scofield, William L. "Cannery and market fish." In: California. Bureau of Commercial Fisheries. The commercial fish catch of California for the year 1928. Sacramento: State Printing Office, 1930. (Fish bulletin; 20)
- Selvin, David F. Sky full of storm: a brief history of California labor. Rev. ed. San Francisco: California Historical Society, 1975.
- Sklar, Kathryn Kish. "Hull House in the 1890s: A community of women reformers." Signs 10(4):658-677 (summer 1985).
- Slobodek, Mitchell. A selective bibliography of California labor history. Los Angeles: Institute of Industrial Relations, University of California, 1964.
- Smith, Kenneth Hugh. "Industrial relations in the California fruit and vegetable canning industry." Master's thesis, University of California, Berkeley, 1949.
- Sunsweet Flashes, v. 1, no. 1-20, 22, 1923-1925.
- Swift, John Cornish. "The tuna fishery of southern California." Master's thesis, University of California, Berkeley, 1956.
- Teague, Charles Collins. Fifty years a rancher: The recollection of half a century devoted to the citrus and walnut industries of California and to furthering the cooperative movement in agriculture. Los Angeles: Word Ritchie Press, 1944.
- Tentler, Leslie Woodcock. Wage-earning women: industrial work and family life in the United States, 1900-1930. New York: Oxford University Press, 1979.

- U.S. Bureau of the Census. Biennial census of manufactures. 1914, 1921, 1925, 1927, 1931.
- U.S. Commission on Industrial Relations. Final report and testimony. 64th Cong., 1st sess., 1916. V. 5 includes testimony by R.I. Bentley (4913-4922), Katherine Philips Edson (5682-5698), and Edwin V. O'hara (4668-4676).
- U.S. Department of Labor. Women's Bureau. Development of minimum-wage laws in the United States, 1912 to 1927. Bulletin of the Women's Bureau; 61. Washington: U.S. Government Printing Office, 1928.
- Vatter, Ethel L. "The California canning industry, 1910-1935: An historical survey." Master's thesis, University of California, Berkeley, 1952.
- Wentz, Ralph Alva. "California canned and dried fruit industries." Master's thesis, University of California, Berkeley, 1925.
- Women's who's who of America, 1914-15. New York: American Commonwealth Company, 1914.
- "A working women's club." *Diamond Brand News* 2(2):13 (March 1920).

IWC Cost of Living Estimate, 1914

Appendix A

| | |
|-----------------------------|--------------|
| Board and room | 300.00 |
| Shoes (3) | 10.50 |
| Corsets (2) | 4.00 |
| Petticoats (3) | 5.00 |
| Stockings (12) | 3.00 |
| Nightgowns (3) | 2.50 |
| Underwear | 7.00 |
| Dresses (2) | 18.00 |
| Coat | 12.50 |
| Suit | 20.00 |
| Sweater | 3.00 |
| Hats | 12.50 |
| Gloves (2) | 3.00 |
| Handkerchiefs (12) | 1.50 |
| Kimona | 1.50 |
| Waists (3 at \$1: 1 at \$3) | 6.00 |
| Umbrella | 1.50 |
| Rubbers | .75 |
| Carfare | 31.20 |
| Sundries (toilet) | 10.00 |
| Medical and dental | 20.00 |
| Vacation and amusement | 15.00 |
| Laundry | <u>12.00</u> |
| Total per year | 500.45 |
| Total per week | 9.63 |

Minimum wage

| | |
|---------|---------|
| 1917-19 | \$10 |
| 1919-20 | \$13.50 |
| 1920-31 | \$16 |

U.S. Cost of living index

| |
|--------------|
| 1913 = 100 |
| 1917 = 142.4 |
| 1919 = 188.3 |
| 1920 = 208.5 |
| 1922 = 167.3 |
| 1930 = 163.7 |
| 1932 = 133.9 |

WAGE ORDERS

agricultural occupations (especially cutting & pitting of fruit for dry-yards) - 1920:

time rate: \$16/week

learning period: none

(rescinded in 1923 because of the impracticability of enforcement)

canning - 1916:

piece rates: cutting apricots 22.5¢ per 100 lbs.

pears 37.5¢ per 100 lbs.

cling peaches 22.5¢ per 100 lbs.

free peaches 12.5¢ per 100 lbs.

tomatoes 3¢ per 12 quarts

canning all varieties of fruit 1.5¢ per 12 no. 2 1/2 cans

3.6¢ per 12 no. 10 cans

tomatoes 1¢ per 12 no. 2 1/2 cans

2.4¢ per 12 no. 10 cans

time rates: experienced hands 16¢/hour

learners 13¢/hour

learner period: three weeks

maximum hours: 10 hour day or 60 hour week, except in case of emergency;

no more than 72 hour week in emergency. Minors: 8 hour day, 48 hour week

overtime (in emergency work) one and one-fourth times regular wage rate

canning - spring 1917: time rate 16¢/hour, piece rates increased, 9 hours = normal day; rate and a quarter 9 to 12 hours, double time after 12 hours in one day.

canning - April, 1918: time rate 20¢/hour, piece rates raised 10-50%, guaranteed time rate set on certain piece rate occupations and products. Eight hours is normal day; rate and a quarter paid for day's work between 8 to 12 hours or any on Sunday; double time after 12 hours per day.

piece rates: cutting apricots 35¢ per 100 lbs.
pears 50¢ per 100 lbs.
cling peaches 27.5¢ per 100 lbs.
free peaches 17.5¢ per 100 lbs.
plums 12.5¢ per 100 lbs.
asparagus 17.5¢ per 100 lbs.
tomatoes 4.5¢ per 12 quarts

preparation of other products, and canning and labeling piece rates, to be set by individual companies, with adult women guaranteed learners' time rate during first week on each product, and guaranteed experienced hands' time rate thereafter.

time rates: experienced hands: 20¢/hour
learners: 16¢/hour (learner period: three weeks)
minors: 16¢/hour whether experienced or not
maximum hours: 8 hour day, 48 hour & six day week, except in case of emergency. Minors: 8 hour day, 48 hour & six day week; can work seventh day in an emergency

overtime (in emergency work): rate and a quarter paid for day's work between 8 to 12 hours or any on Sunday; double time after 12 hours per day.

canning - May, 1919:

time rates: experienced hands: 28¢/hour, \$13.50/week
learners, adult: 21¢/hour
learners, minor: 18¢/hour

learner period: one week

piece rates: adult women guaranteed learners' time rate (21¢/hour) during first week on each product, and guaranteed experienced hands' time rate (28¢/hour) thereafter. Optional, voluntary audit system requires makeup pay if more than 33 1/3% of all women and minor workers on any product earn less than 28¢ per hour. Makeup is applied to all workers as an across-the-board percent increase in piece rate.

canning - April, 1920:

time rates: 33 1/3¢/hour, \$16/week for 48 hour week
learners' time rates: adults: 25¢/hour, \$12/week for 48 hour week
learners' time rates: female minors: 22¢/hour, \$10.56/week
learners' time rates: male minors: 30¢/hour, \$14.40/week
learner period (minors and adults): one week.

piece rates: Adult women and female minors sixteen and older are guaranteed 25¢/hour during first week of employment and 33 1/3¢/hour thereafter. Optional, contractual audit system requires makeup pay if more than 33 1/3% of all women and minor workers, except infirm workers, earn less than 33 1/3¢ per hour in regular time on any product. Makeup is calculated on the percent increase in piece rates required to bring 66 2/3% of workers up to 33 1/3¢ per hour earnings, but no more is paid to any one worker once her own pay reaches 33 1/3¢ per hour.

canning - 1921:

time rates: 33 1/3¢/hour, \$16/week for 48 hour week for experienced adult and minor women

time rates: male minors: 25¢/hour

learners' time rates: adults: 25¢/hour, \$12/week for 48 hour week

learners' time rates: female minors: 22¢/hour, \$10.56/week

learner period: one week.

piece rates: adult women are guaranteed 25¢/hour during first two weeks of employment, female minors guaranteed \$22¢/hour during first two weeks of employment, both guaranteed 33 1/3¢/hour thereafter **OR** employer chooses piece rate basis under weekly audit system. Optional audit system as in 1920 order.

canning - 1923:

time rates: 33 1/3¢/hour, \$16/week for 48 hour week

learner period (minors and adults): two weeks. Pay 25¢/hour, \$12/week.

Optional audit system requires makeup pay if more than 50% of all women and minor workers, except infirm workers, earn less than 33 1/3¢ per hour in regular time on any product. Makeup is applied to all workers as an across-the-board percent increase in piece rate.

canning - 1929:

time rates: 33 1/3¢/hour, \$16/week for 48 hour week

learner period (minors and adults): two weeks. Pay 25¢/hour, \$12/week.

male minors under 18 in occupations in which neither adult nor minor women are employed: 25¢/hour, \$12/week

canning - 1931: IWC's wage rate forced down to 30¢

canning - 1932: IWC's wage rate forced down to 25¢/hour for experienced, 20¢/hour for inexperienced (Smith, p. 119-120)

fish canning - November, 1917:

time rates: 25¢/hour, \$10/week for 48 hour week.

piece rates shall yield time rate minimum.

maximum hours: 8 hour day, 48 hour & six day week, except in case of emergency.

Minors: 8 hour day, 48 hour week, except can work seventh day in an emergency

overtime (in emergency work) one and one-fourth times regular wage rate over 8 hours to 12 hours; one and one-half times regular wage for any work on seventh day of week.

fish canning - 1920:

time rates: \$16/week for 48 hour week.

learner period: four weeks

learners' pay rates: first week: \$12. Second week: \$13. Third week: \$14.

Fourth week: \$15

fish canning - 1923:

time rates: 33 1/3¢/hour, \$16/week for 48 hour week

learners' period: one week, except three weeks in fancy packing.

learners' time rates: 28¢/hour, \$13.44/week

fruit and vegetable packing industry - March, 1918:

time rates: experienced hands, \$10/week

learners, \$8/week

piece rates shall yield time rate minimum.

learner period: three weeks in any branch of the industry, those being:

citrus

deciduous fruits and grapes

vegetables

dried fruit, including layer raisins

seeded raisins

olives

pickles

Maximum hours: 8 hour day, six day week for dried fruit industry. 8 hour day, six day week for green fruit & vegetable packing except in case of emergency.

Minors: 8 hour day, 48 hour week.

Overtime (in emergency work) one and one-fourth times regular wage rate

fruit and vegetable packing industry - 1919:

time rates: \$13.50/week or 28¢/hour for experienced adults

21¢/hour for inexperienced (learner period is two weeks)

18¢/hour for minors

piece rates shall yield time rate minimum.

Maximum hours: 8 hour day, six day week for dried fruit industry. 8 hour day, six day week for green fruit & vegetable packing except in case of emergency.

Minors: 8 hour day, 48 hour week.

Overtime (in emergency work) one and one-fourth times regular wage rate for time worked after 8 hours daily, or any hours on Sunday; double time after 12 hours per day. No overtime work is allowed in dried fruit and raisin packing other than on Sunday, when one and one-fourth times regular wage rate is required.

fruit and vegetable packing industry - 1920:

time rates: 33 ¹/₃¢/hour, \$16/week for 48 hour week

learners' time rates: adults: 25¢/hour, \$12/week for 48 hour week

learners' time rates: minors: 25¢/hour, \$10.56/week

learning period:

packing of dried fruits: four weeks

packing of green fruits: two weeks on product

packing of citrus fruits: four weeks

fruit and vegetable packing industry - 1923:

time rates: 33 ¹/₃¢/hour, \$16/week for 48 hour week

learners' time rates: 25¢/hour, \$12/week for 48 hour week

adults' piece rate: guaranteed to equal time rate minimums in green fruit packing

minors' piece rate: same as adults' piece rates, without guarantee in green fruit packing

learning period:

packing of dried fruits: four weeks
packing of green fruits: two weeks on product, except one season for
cherries
packing of citrus fruits: three months.

nut cracking and sorting industry - June 8, 1923:

time rate: $33\frac{1}{3}\text{¢}$ /hour, \$16/week for 48 hour week

learning period: three weeks

learners' time rates: 25¢/hour, \$12/week for 48 hour week

sanitary orders for all ag industries then with orders, January 1919.

PRIVATE CONFERENCES WITH EMPLOYERS

In early years of operation, the IWC held numerous closed conferences with employers. These worked both to assure that the orders were well thought out and to increase employer compliance. The reader will note that only a few private conferences were held after 1921. Public hearings, open both to employers and employees, and often representing multiple industries, supplied the information that the IWC then needed.

agricultural occupations

Los Angeles (LA), 6 October 1919

San Francisco (SF), 25 May 1920

canning

LA, 14 February 1914

SF, 13 March 1914

SF, 23-24 April 1915

SF, 13 August 1915

SF, 1 October 1915

SF, 20 November 1915

LA, around 20 March 1916

SF, 27 March 1917

SF, 14 April 1917

SF, 15 February 1918 (not planned as private, but no employees came)

SF, 5 & 7 May 1919

SF, 5 March 1920

SF, 18 March 1920

LA, 26-27 April 1920

SF, 16 February 1921

SF, 14 March 1921

SF, 15 April 1921

SF, 22 November 1921

Riverside, 6 May 1927

fish canning

SF, 22 October 1917 (no industry attendance)

SF, 30 October 1917 " " "

LA, 10 November 1917 " " "

SF, 17 September 1918

- LA, 15-16 January 1919
- LA, 26-27 April 1920
- SF, 21 November 1921
- fruit & veg packing
 - Deciduous fruits and vegetables
 - LA, 26-27 April 1920
 - SF, 22 November 1921
 - SF, 28 May 1924
 - SF, 16 November 1928
 - Dried fruit packing
 - SF, 27 March 1914
 - SF, 29 October 1917
 - LA, 10 November 1917
 - SF, 19 September 1919
 - walnut and citrus growers
 - LA, 4 February 1918
 - LA, 6 October 1919
 - SF, 4 June 1923
- fruit drying
 - SF, 30 June 1920
- unskilled
 - LA, 10 November 1917

SF= held in San Francisco

LA= held in Los Angeles

Source: IWC reports and minutes.

CONFEREES IN THE CANNING INDUSTRY

The IWC held conferences with cannery management as the need arose. Wage boards with equal numbers of managers and employees were held in 1916, 1921, 1928, and 1929. The employers who came to the hearings and/or served on wage boards are listed below by company they represented and year(s) of appearance.

Major Canneries

California Packing Corporation

- R.I. Bentley (California Fruit Cannery Assn.), 1915 x 3, 1916*, 1917
- R.M. Berthold (Central California Canneries), 1915 x 2
- Phillip Bush, 1918
- Alfred W. Eames, 1929*
- Andrew G. Griffin (Griffin & Skelley Co), 1915 x 3, 1916*, 1917 x 2
- Arthur Kyle (Central California Canneries/Calpak), 1917 x 2, 1918
- Tonkin, 1921 x 2
- Leonard A. Wood, 1919, 1921 x 4*, 1923

Hunt Brothers

- R. Barr, 1921, 1932
- F.A. Dixon, 1917 x 2
- E.S. Macabee, 1921 x 2

Libby, McNeill & Libby

- J.M. Belcher, 1917 x 2
- W. St. B. Eustace, 1917, 1921 x 4*, 1923
- Mr. Gilkerson, 1923
- Larman, 1918
- F. Larson, 1921 x 2

Pratt-Low Preserving,

- F.P. Brown, 1917, 1921, 1932
- Fred L. Monnet, 1917 x 2, 1918, 1921 x 2, 1923, 1928*

Smaller Canneries

- Barron-Gray Co. of San Jose, H. Gray, 1929*
- Bishop & Co., W.T. Bishop, 1920
- Bonner Fruit Company, E.H. Kennedy, 1916*

* An asterisk indicates service on a wage board during that year. 'X 2' means that the person appeared twice before the commission that year.

California Growers Assn., Will J. Schaefer, 1920
California Sanitary Canning Co., J. Shapiro, 1920
Chas. Stern & Sons, Perkins Stern, 1920
Golden Gate Pkg. Co.
 E.E. Chase, 1915 (also as representative of Cannery League)
 Neilson, 1921
Golden State Canneries (LA)
 Allan Cutler, 1920
 S.W. Mudd, 1921 x 2*
Golden West Pkg. Co., W.S. Shourds, 1920
H.G. Prince & Co., A.L. Duncan, 1918
Pacific Coast Canning Co., R.R. Bellingall, 1921 x 2, 1923
Pasadena Canning Co.,
 G.E. Grier, 1915, 1917, 1920
Pasadena Sunset Canning Co, Ralph Page, 1929*
Richmond Chase Co., E.E. Chase, 1921*
Stetson (LA), 1916
Winters Canning Co, George W. Edwards, 1921, 1923, 1928*

Unidentified

D. Cushman, 1916
Culver (LA canner) 1916

Cannery League of California

E.E. Chase, 1915, 1917, 1921, 1923
Preston McKinney, 1920, 1921 x 2, 1923, 1932

Employees on Wage Boards

Jennie Balistreri, 1916
Mrs. Margaret Church of Watsonville, 1929
Erma Corey, 1916
Mrs. Ella Crandall of Palo Alto, 1928, 1929
Mrs. F.N. Keister of Pomona (Golden State Cannery), 1921
Mrs. Isabel Schmitz (Calpak plant # 45, Berkeley), 1916, 1921
Miss Christine Smith (Selma Fruit Workers Union, Libby, McNeill & Libby),
 1921
Mrs. Jessie Walker of Decoto, 1928, 1929
Miss Frances Zicovich (Calpak plant #3, San Jose), 1921

INSPECTIONS OF AGRICULTURAL INDUSTRIES,
by type of inspection: payroll (P), sanitary (S), and audit (A)

Appendix E

| | canning | ft & veg pkg | fish canning | nuts |
|---------|---------------------------|--------------|--------------|----------|
| 1919-21 | A 2775 | * | * | * |
| 1922-23 | P 189 S 21 A ? | 398 289 | 49 29 | - - |
| 1923-24 | P 147 S 35 A 1196 | 29 9 | 13 - | - - |
| 1924-25 | P 311 S 39 A 1306 | 19 7 | 18 12 | 26 4 |
| 1925-26 | P 326 S 70 A 1846 | 409 201 | 56 12 | 64 14 |
| 1926-27 | P 200 S 60 A 2033 | 465 355 | 21 17 | 22 12 |
| 1927-28 | P 149 S 67 A 1978** | 432 316 | 30 36 | 36 25 |
| 1928-29 | P 205 S 30 A 1688 | 371 289 | 9 0 | 12 12 |
| 1929-30 | P 347 S 82 A 1708 | 154 87 | 153 70 | 37 31 |
| 1930-31 | P 319 S 68 A 1680 | 304 166 | 59 12 | 5 1 |
| 1931-32 | P 140 S 49 A 1214 | 307 38 | 68 21 | 19 2 |

* Inspections were limited practically to actual complaints because of lack of funds to call for and handle certified payroll reports. (Katherine Philips Edson, What California has done to protect its women workers, 1922, p. 14)

** Only northern California firms participated in the audit after 1927.

LAW

Alterations of the law are described in footnotes or, in the case of minor textual changes, in parenthetical asides with the date of alteration.

Statutes of California 1913, Chapter 324. [Approved May 26, 1913. In effect August 10, 1913]

An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act.

The people of California do enact as follows:

Section 1. There is hereby established a commission to be known as the industrial welfare commission, hereinafter called the commission. Said commission shall be composed of five persons, at least one of whom shall be a woman, and all of whom shall be appointed by the governor as follows: two for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years; provided, however, that at the expiration of their respective terms, their successors shall be appointed to serve a full term of four years. Any vacancies shall be similarly filled for the unexpired portion of the term in which the vacancy shall occur. Three members of the commission shall constitute a quorum. A vacancy on the commission shall not impair the right of the remaining members to perform all the duties and exercise all the powers and authority of the commission.

Sec. 2. The members of said commission shall draw no salaries but all of said members shall be allowed ten dollars per diem while engaged in the performance of their official duties. The commission may employ a secretary, and such expert, clerical and other assistants as may be necessary to carry out the purposes of this act, and shall fix the compensation of such employees, and may, also, to carry out such purposes, incur reasonable and necessary office and other expenses, including the necessary traveling expenses of the members of the commission, of its secretary, of its experts, and of its clerks and other assistants and employees. All employees of the commission shall hold office at the pleasure of the commission.

Sec. 3. (a) It shall be the (*continuing*, 1927) duty of the commission to ascertain the wages paid, the hours and conditions of labor and employment in the various occupations, trades, and industries in which women and

minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this state:

1 To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out the purposes of this act, such reports and information to be verified by the oath of the person, or a member of the firm, or the president, secretary, or manager of the corporation furnishing the same, if and when so requested by the commission or any member thereof.

2 To allow any member of the commission, or its secretary, or any of its duly authorized experts or employees, free access to the place of business or employment of such person, firm, or corporation, for the purpose of making any investigation authorized by this act, or to make inspection of, or excerpts from, all books, reports, contracts, pay rolls, documents, or papers, of such person, firm or corporation relating to the employment of labor and payment therefor by such persons, firm or corporation.¹

3 To keep a register of the names, ages, and residence addresses of all women and minors employed.²

(c) For the purposes of this act, a minor is defined to be a person of either sex under the age of eighteen years.³

Sec. 4. The commission may specify times to hold public hearings, at which times, employers, employees, or other interested persons, may appear and give testimony as to the matter under consideration. The commission or any member thereof shall have power to subpoena witnesses and to administer oaths. All witnesses subpoenaed by the commission shall be paid the fees and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the commission or any member thereof, or any subpoena or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before any wage board or the commission, it shall be the duty of the superior court or the judge thereof, on the application of a member of the commission, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before said court. The commission shall have power to make and enforce reasonable and

¹ minor changes; 1927 and 1929.

² Ages kept of minors only; 1929. Records must be kept as the IWC specifies, and be retained for a least a year; 1929.

³ Added as section 3 1/2: IWC can subpoena witnesses or evidence, requiring witness to travel within a county or as far as 50 miles; 1919. Twenty-one years, provided however that the commission shall not fix minimum wages or maximum hours for male minors between the ages of eighteen and twenty-one years; 1929.

proper rules of practice and procedure and shall not be bound by the technical rules of evidence.

Sec. 5. If, after investigation, the commission is of the opinion, that, in any occupation, trade, or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals or welfare of the workers, the commission may [shall; 1921] call a conference, hereinafter called "wage board," composed of an equal number of representatives of employers and employees in the occupation, trade, or industry in question, and a representative of the commission to be designated by it, who shall act as the chairman of the wage board. The members of such wage board shall be allowed five dollars per diem and necessary traveling expenses while engaged in such conferences. The commission shall make rules and regulations governing the number and selection of the members and the mode of procedure of such wage board, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of such wage board. The proceedings and deliberations of such wage board shall be made a matter of record for the use of the commission, and shall be admissible as evidence in any proceedings before the commission. On request of the commission, it shall be the duty of such wage board to report to the commission its findings, including therein:

1. An estimate of the minimum wage adequate to supply to women and minors engaged in the occupation, trade or industry in question, the necessary cost of proper living and to maintain the health and welfare of such women and minors.
2. The number of hours of work per day in the occupation, trade or industry in question, consistent with the health and welfare of such women and minors.
3. The standard conditions of labor in the occupation, trade or industry in question, demanded by the health and welfare of such women and minors.

Sec. 6. (b) The commission shall have further power after a public hearing held upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this state, which shall not be less than a wage adequate to supply to such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors.
2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this state; provided, that the hours so fixed shall not be more than the maximum now or hereafter fixed by law.
3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this state.

(b) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles (*Oakland, 1919; San Jose, Fresno, 1921*) and Sacramento and in the city and county of San Francisco (*and shall give due notice in at least one newspaper published in each of the cities of Fresno, Eureka, San Diego, Long Beach, Alameda, Berkeley and Stockton; 1919*), and by mailing a copy of said notice to the county recorder of each county in the state (*to be posted at the court house of each county, or city and county, and to each association of employers or employees of fifteen or more members within the State of California which shall file with the commission a written request for such notice; 1919*) (*1919's size restriction removed; 1921*), of such hearing and purpose thereof, which notice shall state the time and place fixed for such hearing, which shall not be earlier than fourteen days from the date of publication and mailing of such notices.

(c) After such public hearing, the commission may, in its discretion, make a mandatory order to be effective in sixty days from the making (*publication; 1921*) of such order, specifying the minimum wage of women or minors in the occupation in question, the maximum hours; provided, that the hours specified shall not be more than the maximum for women or minors in California, and the standard conditions of labor for said women or minors; provided, however, that no such order shall become effective until after April 1, 1914 (*last phrase deleted 1921*). Such order shall be published in at least one newspaper in each of the cities of Los Angeles and Sacramento and in the city and county of San Francisco, and a copy thereof be mailed to the county recorder of each county in the state, and such copy shall be recorded without charge, and to the labor commissioner who (*replaced*); *and to the labor commissioner who* with "*The IWC;*" *1919 and "The commission;" 1927*) shall send by mail, so far as practicable, to each employer in the occupation in question, a copy of the order, and each employer shall be required to post a copy of such order in the building in which women or minors affected by the order are employed. Failure to mail notice to the employer shall not relieve the employer from the duty to comply with such order. Finding by the commission that there has been such publication and mailing to county recorders shall be conclusive as to service.

Sec. 7. Whenever wages, or hours, or conditions of labor have been so made mandatory in any occupation, trade, or industry, the commission may at any time in its discretion, upon its own motion or upon petition of either employers or employees, after a public hearing held upon the notice prescribed for an original hearing, rescind, alter or amend any prior order. Any order rescinding a prior order shall have the same effect as herein provided for in an original order.

Sec. 8. For any occupation in which a minimum wage has been established, the commission may issue to a woman physically defective by age or otherwise, a special license authorizing the employment of such

licensee, for a period of six months, for a wage less than such legal minimum wage; and the commission shall fix a special minimum wage for such person. Any such license may be renewed for like periods of six months.⁴

Sec. 9. Upon the request of the commission, the labor commissioner shall cause such statistics and other data and information to be gathered, and investigations made, as the commission may require. The cost thereof shall be paid out of the appropriations made for the expenses of the commission.

Sec. 10. Any employer who discharges, or threatens to discharge, or in any other manner discriminates against any employee because such employee has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings relative to the enforcement of this act, shall be deemed guilty of a misdemeanor.

Sec. 11. The minimum wage for women and minors fixed by said commission as in this act provided, shall be the minimum wage to be paid to such employees, and the payment to such employees of a less wage than the minimum so fixed shall be unlawful, and every employer or other person, who, either individually or as an officer, agent, or employee of a corporation or other person, pays or causes to be paid to any such employee a wage less than such minimum, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment. (*Those who violate other requirements of this act, such as in record-keeping requirements, face the same punishments; 1915*)⁵

-
- ⁴ The 1915 legislature inserted the following subsections about apprentice and learner, giving maximum numbers of special permit workers to be allowed in an industry or establishment;
- b. For any occupation in which a minimum wage had been established, the commission may issue to an apprentice or learner, a special license authorizing the employment of such apprentice or learner, for such time and under such conditions as the commission may determine at a wage less than such legal minimum wage; and the commission shall fix a special wage for such apprentice or learner.
 - c. The commission may fix the maximum number of women and minors under eighteen years of age, to be employed under the licenses provided for in subdivisions (a) and (b) of this section in any occupation, trade, industry or establishment in which a minimum wage has been established.

⁵ Section 11A added 1927: parallel to Section 11, except covers maximum hours and standard conditions of labor rather than minimum wage. Section 11B added 1919: Enforcement is the duty of the IWC.

Sec. 12. In every prosecution for the violation of any provision of this act, the minimum wage, established (*omit "established," insert "the maximum hours of work and the standard working conditions of labor fixed;" 1915*) by the commission as herein provided shall be prima facie presumed to be reasonable and lawful, and to be the living wage required herein to be paid to women and minors (*delete "required herein," etc; insert ", maximum hours and standard conditions of labor required herein;" 1915*). The findings of fact made by the commission acting within its powers shall, in the absence of fraud, be conclusive; and the determination made by the commission shall be subject to review only in a manner and upon the grounds following: within twenty days from the date of the determination, any party aggrieved thereby may commence in the superior court in and for the city and county of San Francisco, or in and for the counties of Los Angeles or Sacramento, an action against the commission for review of such determination. In such action a complaint, which shall state the grounds upon which a review is sought, shall be served with the summons. Service upon the secretary of the commission, or any member of the commission, shall be deemed a complete service. The commission shall serve its answer within twenty days after the service of the complaint. With its answer, the commission shall make a return to the court of all documents and papers on the matter, and of all testimony and evidence which may have been taken before it, and of its findings and the determination. The action may thereupon be brought on for hearing before the court upon such record by either party on ten days' notice of the other. Upon such hearing, the court may confirm or set aside such determination; but the same shall be set aside only upon the following grounds:⁶

- (1) That the commission acted without or in excess of its powers.
- (2) That the determination was procured by fraud.

Upon the setting aside of any determination the court may recommit the controversy and remand the record in the case to the commission for further proceedings. The commission, or any party aggrieved, by a decree entered upon the review of a determination, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the said superior court.⁷

Sec. 13. Any employee receiving less than the legal minimum wage applicable to such employee shall be entitled to recover in a civil action the

⁶ The section was rewritten in 1921 to divide the review into two parts. In section a), the appeal is directed to the commission, which has 30 days to have a rehearing. In section b), the court action outlined in the original law can be brought upon a negative rehearing verdict or non-response to a rehearing application.

⁷ The filing of a rehearing application will suspend the order or the part contested with respect to the applicant only, for a period not to exceed ten days, unless otherwise directed by the commission; 1921.

unpaid balance of the full amount of such minimum wage, together with costs of suit, notwithstanding any agreement to work for such lesser wage.

Sec. 14. Any person may register with the commission a complaint that the wages paid to an employee for whom a living rate has been established, are less than that rate, and the commission shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage.

Sec. 15. The commission shall biennially make a report to the governor and the state legislature of its investigations and proceedings.⁸

Sec. 16. There is hereby appropriated annually out of the moneys of the state treasury, not otherwise appropriated, the sum of fifteen thousand dollars, to be used by the commission in carrying out the provision of this act, and the controller is hereby directed from time to time to draw his warrants on the general fund in favor of the commission for the amounts expended under its direction, and the treasurer is hereby authorized and directed to pay the same.⁹

Sec. 17. The commission shall not act as a board of arbitration during a strike or lock-out.

Sec. 18. (a) Whenever this act, or any part or section thereof, is interpreted by a court, it shall be liberally construed by such court.

(b) If any section, subsection, or subdivision of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases is declared unconstitutional.

Sec. 19. The provisions of this act shall apply to and include women and minors employed in any occupation, trade or industry, and whose compensation for labor is measured by time, piece, or otherwise.

⁸ Made looser in 1929: "may publish and distribute from time to time reports and bulletins relative to its work."

⁹ Repealed 1923.

BIOGRAPHY

Helen Valeska Bary, social reformer from a working class family, of Los Angeles. She worked with Edson in California's suffrage campaign, then as an IWC agent from 1914 to 1918 for \$75 per month. She resigned in frustration with lack of her own advancement and of activity in the commission. Later she held government positions in Washington, D.C. Born 1887.

Meyer Bloomfield, a Boston-based professor, employed in April 1915, as an outside expert on apprentices. Paid \$500 per week. Edson had probably met him during her visit to the Minimum Wage Commission of Massachusetts earlier that year. Bloomfield addressed employers and labor councils in San Francisco and Los Angeles and suggested establishment of an Employment Managers' Association among employers.

A. (Albert) Bonnheim, dry goods merchant of Sacramento, associated with the Weinstock firm. Commissioner representing industry, 1913-1916. A less active and sometimes balky member of the commission. Born 2 November 1855; died 1916.

James W. Costello, banker of Los Angeles. Commissioner representing industry, 1927-1930.

A.B.C. Dohrmann, San Francisco businessman and philanthropist. Commissioner representing industry, 1913-31. President of the Emporium, the city's largest department store; part owner of several other stores and Yosemite's Curry Company; from a family of prominent businessmen. Besides his business interests, he was on the board of directors of PG&E, the Federal Reserve Bank of the 12th district, the State Chamber of Commerce, and was a member of the finance committee of the Golden Gate International Exposition. Father of seven. Born 1868, died 1936.

F.W. (Fred W.) Dohrmann of San Francisco, father of A.B.C. Dohrmann and industrial leader. He became president of the Employment Managers' Association created in 1915 in response to Bloomfield's (q.v.) suggestion. Died in 1915 or 1916.

George Durand of Oakland. Commissioner representing labor, 1930-1932.

Vice president of California State Federation of Labor; president of Oakland Carmen's Union.

Bernal H. Dyas of Los Angeles. Commissioner representing industry and IWC chairman after 1931; replaced Dohrmann.

Katherine Philips Edson of Los Angeles and later of San Francisco. Commissioner representing labor and women, 1913-1931. Executive officer of the commission, 1916-1930; salary of \$300 per month. Active Republican.

Alexander Goldstein of Guggenheim & Co. and Phoenix Packing Co. Commissioner representing the fruit packing industry, 1917-1921. Born October 1859, died 1921.

George S. Hollis of San Francisco. Commissioner representing organized labor, 1927. Appointed to succeed Mathewson, Hollis resigned in a few months because of ill health. The seat then lay open until 1930.

Hiram Warren Johnson, governor of California, 1911-1917 (Progressive Republican). Sacramento lawyer, later moving to San Francisco. U.S. Senator from California, 1917-1945. Born 2 September 1866, died 1945.

William R. Kilgore of Los Angeles; young commissioner representing business after 1929.

Mabel E. Kinney of Los Angeles. Commissioner and chief of the Division of Industrial Welfare after 1931. Named by Governor Rolph to replace Edson.

Meyer Lissner, Los Angeles lawyer and political mentor of Edson. One of the four original organizers of the Los Angeles good government movement which fostered the state Progressive Party, he is described by Mowry as "the card index man of the movement." The orphaned Lissner became an entrepreneur at fifteen, moved to Los Angeles, studied law, educated his brothers, and "acquired a comfortable fortune from law and real estate. Efficient, cold-blooded, and at times unpopular, Lissner brought strength to the cause through his amazing passion for detailed organization and his unselfish devotion to the principles he was to serve for the next twenty years." (Mowry, p. 43) Chairman of the California Republican State Central Committee from 1910 to 1916; member of the National Executive Committee of the Progressive Party, 1912-1916; appointed to the California Industrial

Accident Commission, 1915-1919, 1928; member of U.S. Shipping Board, 1921 until 1925, when he resigned. Born 16 June 1871, died 1930.

Henry W. Louis, garment manufacturer of Los Angeles. Commissioner representing industry, 1921-1927.

Mrs. Parker S. Maddux of San Francisco. Commissioner representing labor, 1930-1931. Active in social work in the Bay Area prior to appointment.

Walter G. Mathewson, secretary of the Building Trades Council of San Jose. Commissioner representing organized labor, 1913-1926. Father of five, he chose in 1926 to forego reappointment to the IWC rather than risk his salaried Labor Commissioner (state officer independent of IWC) appointment, held since 1921. Later state director of U.S. Employment Service. Born 1874, died 1943.

Harold Mestre, industrial engineer, formerly with the Workmen's Compensation Service Bureau, engaged by the IWC in August 1916 to study seating of women in canneries. Paid \$7.50 per day.

Frank J. Murasky, judge of the Superior Court in San Francisco. Commissioner representing the public, 1913-1919. Resigned when informed he couldn't hold IWC appointment and judgeship. His seat remained vacant until late 1922.

George F. Neal of San Francisco. Commissioner representing the public, 1927-1929.

Marie L. Obenauer, former chief of the Women's Division of the U.S. Bureau of Labor Statistics, employed by the IWC at \$250 per month from October 1915 to analyze cannery statistics. "Miss Obenauer is the most expert investigator of the canning industry in this country, having made studies for the United States government of conditions in this industry in California in 1911, in Maryland and in the pea canneries in Wisconsin." (IWC, 2nd biennial report, p. 14)

Friend W. Richardson, governor of California, 1923-1927 (conservative Republican). Berkeley newspaper publisher. Born 1869, died 1943.

James Rolph, governor of California, 1931-1934 (Republican). San Francisco businessman and former mayor. Born 1869, died 1943.

Chester Harvey Rowell of Fresno. Leader among Progressive Republicans. Publisher of the Fresno Republican; later edited San Francisco Chronicle, 1932-1939. Born 1867, died 1948.

Paul Scharrenberg, secretary of the State Federation of Labor and a leader of attack on Edson after the 1922 reduction in minimum wage.

Harry A. Scheel of San Francisco. IWC secretary, 1914-1916. Previously statistician for the California Bureau of Labor Statistics; hired by the IWC for his technical knowledge, at \$300 per month. His managerial shortcomings caused the commission to force his resignation. Edson replaced him in that paid position.

Paul A. Sinsheimer of San Francisco, labor leader and commissioner representing labor, 1922-1924. Removed by Governor Richardson, perhaps because the commission had more labor representatives than allowed.

William Dennison Stephens, governor of California, 1917-1923 (Republican). A Los Angeles resident trained as a lawyer, he had been involved in railroad construction, the grocery business from 1888-1909, and served as Congressman, lieutenant governor, then governor. Born 26 December 1859.

Harris Weinstock, prominent Sacramento agriculturalist, businessman, and Progressive. Edson thought him unsurpassed in strike settlement skills.

Clement Calhoun Young, governor of California, 1927-1931 (Republican). Former school teacher, businessman, and San Francisco legislator. Edson joined his unsuccessful reelection campaign.

KATHERINE PHILIPS EDSON AND
CALIFORNIA'S INDUSTRIAL WELFARE COMMISSION,
1913-1931

by

SUSAN DIANE CASEMENT

B.A., Ottawa University, 1972
M.L.S., University of Texas at Austin, 1979

AN ABSTRACT OF A THESIS
submitted in partial fulfillment of the
requirements for the degree

MASTER OF ARTS

History

KANSAS STATE UNIVERSITY
Manhattan, Kansas

1987

ABSTRACT

The California legislature created the Industrial Welfare Commission (IWC) in 1913 to improve the wages and working conditions of women and children. Katherine Philips Edson joined the new commission when she was forty-three and guided it until 1931, two years before her death. The thesis focuses on Edson as a woman in a role unusual for her time, and examines the successes and failures of the commission under her leadership. Descriptions of the IWC's policies and interactions with the employers and workers in agricultural industries are the basis for analysis of the commission's success. Five agricultural industries show the range of IWC accomplishments and represent, especially in the canning industry, the major employer of women.

To underpin the study, the commission's creation is positioned in the Progressive era, with strong backing from the women's clubs; and the 'enabling' side of the commission's story, including budgets, political swings, and constitutional challenges, is recounted. An exposition of Edson's relationships with four key male cooperators and a summary of her life allow the reader to judge her role.

Through the IWC's philosophy of cooperative social reform, California's working women came to benefit from the highest minimum wage in the United States. Working conditions improved, and the eight hour day came even to agricultural industries. Industry supported IWC budget requests and lobbied governors for Edson's reappointment. After the mid-1920's, however, compliance eroded. In 1931 the commission's new leader

living to California's working women through the Depression years is a point for conjecture.

Major sources for the study include the minutes and documents of the Industrial Welfare Commission; the collected papers of Katherine Philips Edson, Hiram Johnson, Meyer Lissner, and Chester Rowell; and an oral history from Helen Valeska Bary. Numerous secondary sources provided information on specific topics.