

# A Living Legacy.

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Accomplishments like Frances Perkins' are rarely the end of the story. As the world evolves, even the most groundbreaking achievements must continue to change along with it. In the decades since her time as Secretary of Labor, Frances Perkins' achievements have been built on, rolled back, and done everything but remain static.

Her legacy is very much alive in everything from Social Security to fire safety regulations to the minimum wage. To fully understand the effect she has had on us, it is important to look at how her accomplishments have evolved into the programs and legislation that we know and rely on today.

Here, we'll look at several prominent New Deal programs and legislation that Frances Perkins had a hand in, their impacts, and how they've changed over the years.



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# The Bureau of Labor Standards

## What was the Bureau of Labor Standards?

The Bureau of Labor Standards was a government agency established in 1934 that aimed to establish a forty-hour work week, minimum wage laws, and prohibitions on child labor. In addition to achieving these goals, the Bureau hosted a national conference to address dust diseases commonly contracted in the workplace, developed standards for workplace safety and workers' compensation programs, and even conducted the first nationwide safety training program to fight an increase in disabling injuries during World War II.

The Bureau spent much of its time helping state labor commissioners improve and enforce their labor laws and regulations, but the states themselves were still ultimately responsible for the passage and implementation of these regulations. This meant that labor standards varied greatly between states, and the Bureau could do very little to promote higher standards in states that didn't want its help.



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To address this disparity, Congress passed the Occupational Safety and Health Act in 1970, which absorbed the Bureau into the newly created Occupational Safety and Health Administration (OSHA). Under OSHA, the Secretary of Labor had the power to enact permanent occupational health and safety standards as well as temporary emergency standards. Importantly, the Secretary of Labor also gained the ability to penalize violations of these standards. Today, states are still free to establish their own workplace safety standards, but they must be at least as effective as federal standards.



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**1933:** In her Annual Report, Frances Perkins recommends the establishment of an agency to improve labor standards.

**1934-1970:** The Bureau achieves its original goals, develops standards for workplace safety, and helps state labor departments improve their regulations.

**1934:** The Bureau is created and adapts Frances Perkins' original goals into an ambitious set of objectives.

**1970:** Congress establishes the Occupational Safety and Health Administration (OSHA), which absorbs the Bureau.

# The National Labor Relations Board

## What is the National Labor Relations Board?

The National Labor Relations Act was introduced by Senator Robert Wagner to remedy the government's lack of power to enforce labor laws and workers' rights. It proposed the creation of a new independent agency, known as the National Labor Relations Board (NLRB), to investigate and correct unfair labor practices. Crucially, the NLRB would have the power to subpoena evidence in its investigations and enforce its ordered remedies for violations of the National Industrial Recovery Act of 1933 through the court system, giving it the power that its predecessors lacked. In the first 12 years of its existence alone, the NLRB saw more than 100,000 cases, helped tens of thousands of workers receive the back pay they were owed, dissolved more than 1,700 employer-controlled unions, and conducted almost 37,000 union elections.

Following World War II, public opinion of organized labor shifted as more and more people believed the labor movement had become too powerful. A campaign to amend the National Labor Relations Act had been brewing since its passage, but was finally successful after 12 years.



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Congress passed the Taft-Hartley Act in 1947, overriding President Truman's veto. This Act reorganized the NLRB and made unions, not just employers, subject to its unfair labor practice regulations and powers.

The push against unions didn't end with the Taft-Hartley Act. The labor movement as a whole was under intense scrutiny from Congress throughout the 1950s, culminating in the Labor-Management Reporting and Disclosure Act of 1959. Targeting corrupt practices within union leadership, it set safeguards for organization funds and assets and standards for regular elections, as well as outlining a Bill of Rights for union members.



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**1933:** The National Industrial Recovery Act guarantees private sector workers the right to organize, collectively bargain, and join unions of their choice.

**1947:** The Taft-Hartley Act reorganizes the NLRB and ensures that unions can be penalized for failing to abide by labor practice regulations, reflecting decreased trust in organized labor.

**1934:** The National Labor Relations Board is established to enforce rights of workers under the NIRA.

**1959:** Congress passes the Labor-Management Reporting and Disclosure Act to promote democratic practices in unions and fight corruption.

# The Social Security Act

## What was the Social Security Act?

The Social Security Act of 1935 created the Social Security Board, a tiny independent agency that would later become the Social Security Administration that we know today. Before Social Security, growing too old to work consistently, a disabling injury, or the death of a family breadwinner often meant destitution. Now, millions of Americans pay into the system and collect benefits after they retire. Disabled workers and families of deceased workers can also collect benefits, even if the beneficiary is not yet at the age of retirement.

In the first few decades after the Social Security Act was passed, it was amended several times to expand the number of Americans who could benefit. Beginning in 1939, young widows with dependent children could collect Social Security, although widowers in the same situation weren't offered this relief until 1975. In 1950, benefits were extended to aged widowers as well as aged widows. Disabled, non-retired workers above the age of 50 gained the ability to collect Social Security in 1956, while younger disabled workers could collect benefits starting in 1960.

It wasn't until 1973 that a serious challenge to Social Security arose.

Projected deficits led to the fear that Social Security cost too much to maintain and would go bankrupt. Luckily, a 1983 amendment to the Social Security Act eliminated these deficits.

In more recent years, opponents continue to claim that Social Security will go bankrupt and many push for the program's privatization, if not its complete elimination. Privatizing Social Security, as proposed by then-President Bush in 2000, might involve workers keeping their contributions in private savings accounts rather than paying them to the Social Security Administration, thereby taking away both the insurance and the "social" aspects of Social Security.



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**1935:** The Social Security Act is passed, creating the first American governmental promise of old-age pensions, disability insurance, and survivor benefits.

**1973:** The Social Security Administration projects a future deficit for the first time, due to a high cost of living, high unemployment rates, declining birth rates, and increased life expectancy.

**1939-1975:** The Social Security Act is amended several times to extend access to more workers and their dependents.

**1983:** The Social Security Act is amended once again to fully eliminate projected deficits.



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# The Fair Labor Standards Act

## What was the Fair Labor Standards Act?

Congress passed the Fair Labor Standards Act (FLSA) in 1938 with the intention to protect workers and stimulate the economy. It established a forty-hour workweek and overtime pay, protections against child labor, and a federal minimum wage. While the regulations under the FLSA did not, and still do not, apply to all workers in the United States, the Act covers most private and public sector employees.

Under the forty-hour workweek and overtime provisions, employers must pay time-and-a-half to covered employees working more than forty hours in a week. The FLSA's child labor protections established sixteen years old as the minimum age for nonhazardous occupations and eighteen for any job considered hazardous by the Secretary of Labor, with some exceptions going as young as fourteen. The federal minimum wage was originally established as \$0.25/hour and the most recent change in 2009 put it at \$7.25/hour.

Apart from a 1948 Act that clarified what counted as working hours (it was decided that traveling to and from work, for example, did not count as part of the work day), amendments to the FLSA

since its passages have largely made changes to what groups of employees are covered under the Act. In 1961 and 1966, amendments expanded coverage to include employees in construction, cleaning services, hospitals, education, and large retail companies. The 1966 amendments also established the "tip credit," allowing employers to pay below minimum wage to workers who earned tips as long as their hourly wages and tips combined added up to at least minimum wage. Later amendments in 1974 and 1989 extended coverage further to most government employees and employees of small retail businesses respectively.



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**1938:** The Fair Labor Standards Act is passed, establishing a 40-hour week, child labor regulations, and a federal minimum wage.

**1963:** The Equal Pay Act amends the FLSA to legally prohibit gender-based pay discrimination.

**1961-1989:** Various amendments extend FLSA coverage to include workers in more industries.

**2009:** The federal hourly minimum wage is increased to \$7.25.

# New Deal Employment Programs

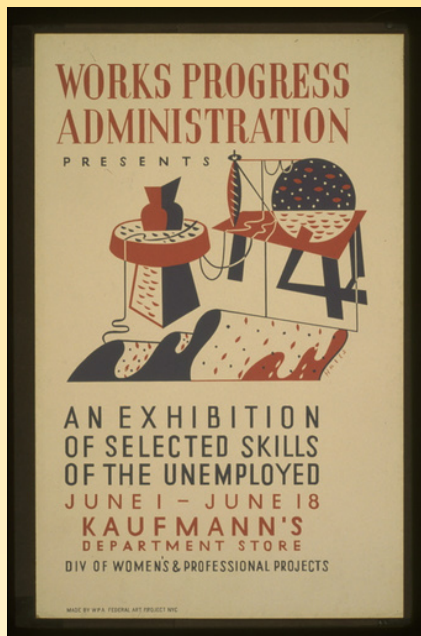
## What were New Deal Employment Programs?

Several New Deal programs provided relief for the unemployed by directly offering them paid employment, often in ways that benefited the American people more widely. One of the most well-known of these programs was the Civilian Conservation Corps (CCC), which employed over 3 million young, unmarried men in projects, including the establishment of national parks, restoration of historic sites, preservation of forests, fire-fighting, and more. Although the program was shut down in 1942 at the onset of World War II, it had lasting impacts on participants who later achieved higher levels of education and geographic mobility along with better long-term health and income outcomes.

Another one of these programs was called the Civil Works Administration (CWA), which employed over 4 million people in its year of existence. Workers in the CWA built over 40,000 miles of new

roads and built or improved thousands of schools and airports. After being dissolved in 1934, the CWA was reestablished as the Works Progress Administration (WPA), later renamed the Works Projects Administration. The WPA built on the CWA's work, becoming the largest New Deal public works program and employing 8.5 million Americans before it shut down in 1943. Most of the WPA's projects involved building or improving infrastructure, but it also funded theater, music, visual arts, historic preservation, and social science research.

A final program was the Public Works Administration (PWA), created in 1933 with over \$3 billion in funding. It offered grants and loans to state and local governments to hire private contractors for infrastructure projects. This increased the demand for labor and materials, contributing indirectly to economic recovery and the creation of an estimated 750,000 new jobs. Many of its projects are still in use today, including the Triborough Bridge in New York City and the Reagan National Airport.



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