

John Herling Poet 9-14-74

## The UMW's Rebirth

The reborn United Mine Workers has found its second wind. It is now a going concern for the long distance.

In December 1972, the smashing defeat of Tony Boyle and the subsequent cleansing of UMW's Augean Stables, had brought Arnold Miller, Mike Tribovich and Harry Patrick—president, vice president and secretary-treasurer—to the leadership of the union.

In the ensuing trial and error period, the new union administration spent its energies in internal shake-down, in the holding of a constitutional convention, which some thought

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*Mr. Herling writes often on labor topics for these pages.*

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was premature, and the need to administer a union disoriented in the aftermath of the tragic murder of Joseph (Jock) Yablonski, his wife and daughter, which followed Yablonski's unsuccessful drive to remove Boyle from office.

Aftermath turned into afterglow when the massive dissent started by Yablonski established what was universally hoped to be a new order of things, with a democratically elected rank-and-file leadership.

Life inside the union and the executive suite of the new leadership, complicated enough with the normal burdens of union administration, had to be geared to preparation for the negotiations for a new contract after the old one expires in November 1974.

On top of this came the assumption of responsibility for conducting a bitter strike in Harlan County, Kentucky, at mines owned by the Duke Power Company. Strikers and even their families were thrown into jail. For a long time this side-struggle involving a few hundred miners seemed like an entrapment. It absorbed millions of dollars and a considerable part of the creative energy of inexperienced leadership and overworked staff. But the leaders saw in this latest Harlan County struggle at the Brookside mine against powerful interests a continuation of massive organization and of union rectification by other means.

In the Eastover Mining Company—Duke's mining subsidiary—Miller and his associates saw a target of union ne-

cessity. To them this was not just another small strike. If the drive at Brookside were successful, then other hitherto nonunion mines would be more easily unionized. The Brookside strikers had broken away from a so-called "independent" Southern Labor Union which had been disowned by most miners as a "scab company outfit."

As was almost inevitable in "Bloody Harlan," violence continued. Late in August the latest shooting resulted in the death of a young miner by a mine supervisor. This killing could have opened up a wider range of blood-letting. It became a turning point. On Aug. 29 an agreement was reached when the Federal Mediation Service, headed by W. J. Usery Jr., brought the sides together into an agreement—the heart's desire of the UMW.

As a result, the Miller-led union comes out of an uncertain battle with heightened prestige. The new UMW had tested itself. It did not duck a confrontation with corporate interests; it did not cut and run when the battle was toughest; and it proved that this leadership, unlike its predecessor, would not hesitate to use union funds and personnel in behalf of workers who struck, convinced that they would not be abandoned by a union of their choice.

Aside from the agreement which the UMW has now made with the Eastover Mining Company covering the Brookside mine, Duke and the mining company have agreed to a representation election at another Duke-owned mine at Highsplint in the same county. If the UMW wins that election, the miners at Highsplint would win the same contract terms as those at Brookside.

UMW leadership now can devote all its time and energy to eight weeks of negotiations with the Bituminous Coal Operators Association for a contract which includes 1,200 mines throughout the country. It can proceed with confidence in discussions with the large corporate enterprises which, remembering the John L. Lewis and Boyle years, had begun to look down their collective nose at the new UMW leaders. With UMW's victory over Duke, Miller and associates may not suffer from an inferiority complex in pursuing the union's main order of business—bargaining for a new contract. From now on, it should be a meeting of equals.

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# New Coal Dispute Recalls 'Bloody Harlan'

## County in Kentucky Gripped Again by Labor Violence

By WILLIAM K. STEVENS

HARLAN, Ky., Aug. 28 — Men like Dock Farley are as much a part of the natural order of the Appalachian coal country as the sharp-toothed, blue-green mountains, shrouded now in a soft summer haze, that march ridge upon magnificent ridge into the distance and crown this sometimes harsh land near the Virginia border with an almost breath-taking beauty.

Sixty-one years old, white-haired and probably as tough an old miner as any in the Cumberlands, Mr. Farley lives with his wife and two brothers-in-law in a little white frame house, flanked by gardens of corn, potatoes, cabbage, tomatoes, beans and onions, at the foot of a mountain in the Harlan County coal-camp town of Evarts. He carries the county's history — or, at least, that part that most outsiders know about — in his body and his brain.

"Look here," he said yesterday, turning over the silver identification bracelet around his right wrist and indicating what was engraved on the back: high blood pressure. Black lung. Slipped disk.

### Missing Thumb, Too

"The doctor gave me that when he turned me out of the mines back in '62," Mr. Farley said. He did not mention the missing thumb of his left hand, severed in a mine accident in 1958.

He also carries the memory of "bloody Harlan" of the nineteen-thirties, when the United Mine Workers of America were trying to organize Harlan County, and shootings and bombings made

Harlan notorious.

"I was right in the middle of it," he said. "They killed Virgil Hampton, one of our field representatives, right over here on Crummies Creek." Another time, he recalled, "theh're were brains and skulls splashed all over the highway over there." He pointed to State Route 38, a stone's throw away. "Gun thugs done it," he said. "Company gun thugs."

Now Mr. Farley, and much of the rest of Harlan County, are afraid it may be all about to happen again.

### Classic Confrontation

In a classic union-vs.-mine operator confrontation reminiscent of labor's early violent battles, the United Mine Workers is trying to regain the grip on Harlan County that it achieved in the blood of 40 years ago, but lost during a period of intraunion corruption and neglect in the nineteen-sixties. "Kentucky coal is U.M.W. coal," read some of the union's slogans posted around here.

About 400 miners are on strike against two mines owned by the Duke Power Company of North Carolina, the nation's sixth largest electric power combine.

The U.M.W., after having "retaken" the Brookside Mine from the independent Southern Labor Union in a representational election, has been on strike at Brookside for 13 months — shutting the mine

down for most of that time — in an effort to secure a first contract.

Two months ago, Southern Labor Union workers struck the second mine, Highsplint, in support of two miners who were dismissed for refusing to cross a U.M.W. "informational" picket line.

Since, then, the Highsplint mine has been the scene of frequent confrontations between angry strikers on one side and nonstrikers and armed company guards on the other.

As a result, Harlan County is again an armed camp. Most miners of every faction are apparently carrying firearms. There have been face-offs and shootings. Early one morning last week, the home of one of Dock Farley's neighbors, Mickey Messer, president of the U.M.W. local, was riddled with bullets.

And last Saturday night, a coal-company supervisor shot a young miner in the head during a confrontation in one of the "hollows," or deep ravines, that lace the landscape. The miner, 23-year-old Lawrence Jones, is in critical condition, and his shooting has drawn the county as taut as a drumhead.

### A State of Suspense

For the moment the situation is in a state of somewhat fearful suspense. On Monday, at the behest of Federal officials, the company temporarily closed the Highsplint mine in the interest of preserving peace. And renewed talks between the union and the Duke Power Company began today in Washington.

So far, things are not yet as violent as they were in the thirties. "But they will be," said Jerry Wynn, a Brookside striker, unless agreement on a contract is reached soon.

"People are really ready to kill each other," said a

close observer. "It's passed the point of choosing up sides."

All this leads to re-examination of the Harlan County legend. Like all legends, it is bigger than reality.

Much about the county contradicts the "Dogpatch" image that is traditionally attached to it, an image that angers some of the county's middle-class businessmen and professional people.

"We're not one-gallus, pointy-hat types," fumed one professional.

### Shacks Replaced

Dismal, ramshackle storefronts are being replaced by modern ones throughout this southeastern Kentucky region. A proliferation of mobile homes, not ordinarily a sign of affluence, takes on a new significance: They are replacing the wood and tar paper shacks that once dotted the landscape.

Even amid the labor turmoil, much of life goes on as it does anywhere else in the United States: While Mr. Farley was talking yesterday, a high school band marched, in a practice session, right by Mr. Messer's bullet-riddle house.

New highways are being built, and Harlan County residents hope they will attract new industries and tourists. One-room schools have all but given way to modern, consolidated ones. Harlan has not only its coal camps, but also its sparkling, middle-class enclaves with well-kept lawns and names like Woodland Hills and Sunny Acres. Hair and clothing styles here match those in any of the nation's big cities.

Most significant, perhaps, Harlan County is well on its way back from the economic nadir it reached in the late nineteen-sixties, after the decline of the coal industry.

People went north in droves during the 'fifties and 'sixties, searching for jobs.



**Dock Farley, on the porch, and Pearl Howard at the house they occupy in Evarts, Ky., in the Appalachian coal country of Harlan County. Mr. Farley was turned out of the mines in 1962 by a combination of black lung, high blood pressure and a slipped disk.**

The county's population in 1970 was 37,370, about half what it had been 30 years earlier. But now, as coal rebounds and skilled mine labor is at a premium, Harlan's population has also rebounded, growing by 5 per cent since 1970.

The coal miner's economic lot is better, too. No longer does he owe his soul to the company store, although he might owe it to Sears, Roebuck. He no longer has to live in a company-owned house. Today he can make

nearly \$50 a day, straight-time, even at mines like Brookside and Highsplit. And that is a good wage here.

Why, then, are the miners unhappy? Why are they striking the Brookside mine?

#### Protection Is Key

The miners give several answers, but the basic one is that they are convinced that only the U.M.W., now that it is reformed, can give them effective protection from the arbitrary acts of the East-over Mining Company, the

Duke subsidiary that operates the Brookside and Highsplit mines.

Under the Southern Labor Union, U.M.W. backers say, men could be dismissed on whim, and were. Medical protection, they say, was "a joke." Pensions were nonexistent for many older employees. And most important, there was little progress in making the mines safer.

For its part, the company says it is ready to agree on all monetary and benefit re-

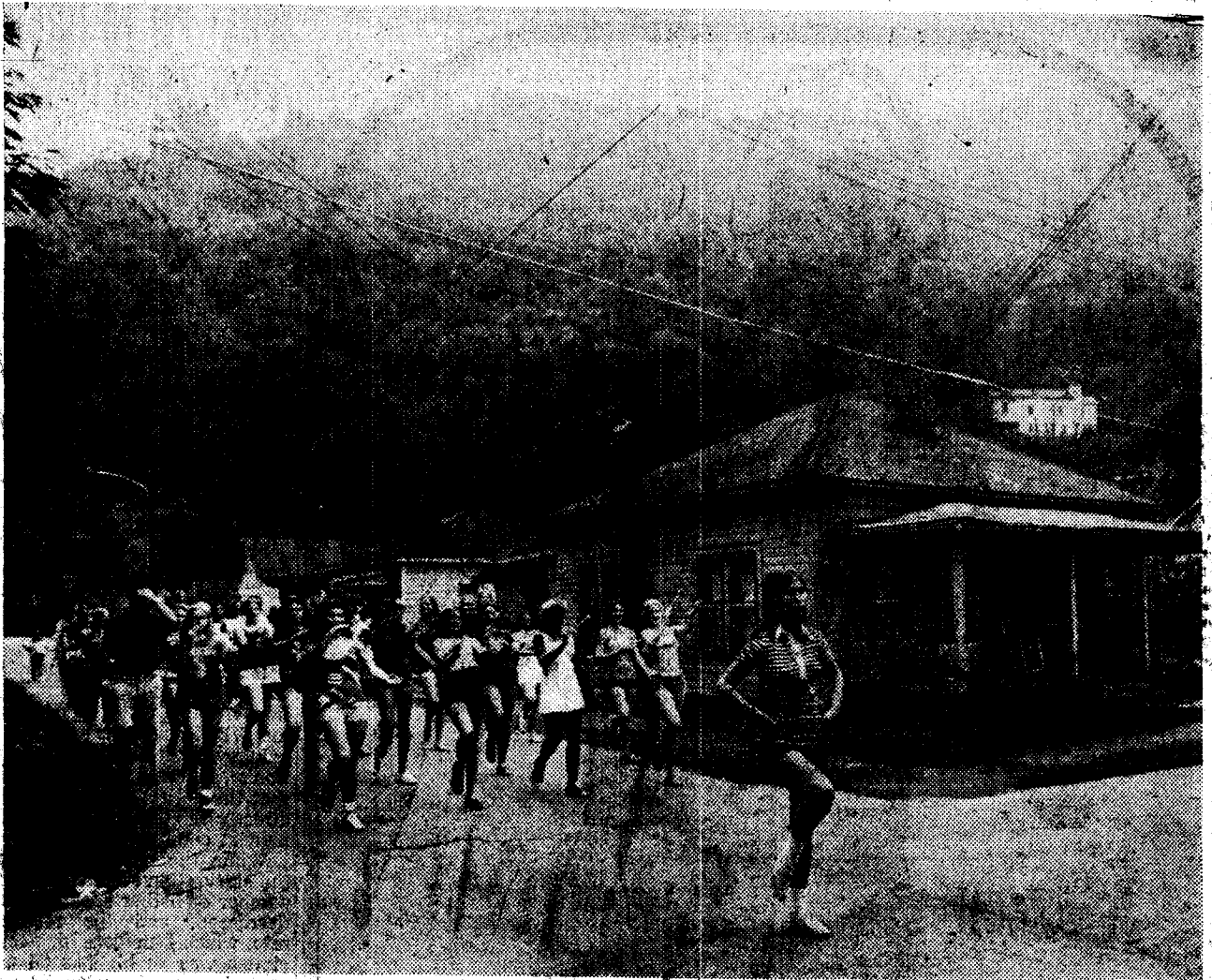
quests. But it is not willing to accede to the U.M.W.'s demand that the union be allowed to close mine unilaterally if it is deemed unsafe.

Many miners believe that the situation has long since reached the point of no return. And many fear that if the miners do not win the strike at Brookside, they will be blacklisted and will not be able to get a job anywhere in Harlan County.

Meanwhile, the miners are keeping their automatics and

revolvers in their belts and pockets, and Harlan waits.

"If they get this settled," said Dock Farley, "this will be a good place again."



**The Evarts High School band marching, in practice, in the area where the house of the president of a United Mine Workers local was recently riddled with bullets.**

Photographs for The New York Times by KERRY SMITH