

### ON THIS DAY IN WEST VIRGINIA HISTORY FEBRUARY 18



News footage of black lung rally, 1969  
Screen capture by Allen E. Fowler

**On February 18, 1969, UMW coal miners went on strike to protest the absence of black lung benefits.**

**CSO: SS.8.25, SS.8.9, ELA.8.1**

**Investigate the Document:** (*Charleston Gazette*, February 27, 1969)

1. Who was the sponsor of the miners' march and rally at the state Capitol?
2. What did the miners say after Governor Moore stated that a bill to cover the disease would be the first order of business in the July legislature if it failed to pass during the regular session?
3. Approximately \_\_\_\_\_ miners from across West Virginia were behind the work stoppage to support black lung legislation.
4. Why did the various coal operators' associations from around the state feel as if the UMWA members were in violation of their contracts? What was the agreement titled?

**Think Critically:** What is black lung disease? What is a compensable occupational disease? What are other occupational diseases? Should employers be responsible for workers who suffer from job-related, long-term disabilities? What is the role of employers in protecting the safety of their workers?

# The Charleston Gazette

The State Newspaper

Charleston, West Virginia, Thursday Morning, February 27, 1969

52 Pages—4 Sections—Ten Cents—VALLEY EDITION

## Coal Miners Sound Call Of 'No Law, No Work'

By Edward Peeks  
Staff Writer

"No law, no work," hundreds of striking miners told Gov. Arch Moore, who was interrupted Wednesday as he spoke from the steps of the Capitol.

The miners marched on the Capitol after a rally attended by about 2,000 in Municipal Auditorium, where more than half a dozen speakers discussed proposed legislation to cover black lung disease under workmen's compensation.

Moore spoke to the march group, as he did earlier to about 20 representatives of the West Virginia Black Lung Assn., sponsor of the march and rally.

He was interrupted by miners when he said that a bill to cover the disease would be the first order of business in the July legislature if efforts failed to pass a law during the current session.

"No," a group of miners said. Others joined the chorus in the crowd, "We want it now. If we don't get it now we won't work."

Moore went on to explain that he could extend the present session for only three days to deal with budget matters.

He reminded them that he was on record for a law to cover black lung, having asked the legislature to pass such a law. "My concern is just as paramount as yours," he said.

MINERS HAVE a right to strike and to petition their government, Moore noted, but their families would need things that wouldn't be supplied "as a result of your not working."

*Additional story and picture of striking miners are on page 25.*

A few jeers emerged amidst applause when the Governor appeared to speak to the group. When he finished, there was scattered applause.

The response was in contrast to the rally where individual speakers drew lusty applause and standing ovations.

They included Rep. Ken Hechler, Dr. I. E. Buff of Charleston, Dr. Donald Rasmussen of Beckley and Dr. Hawey A. Wells of Morgantown, all members of the Physicians for Miners Health and Safety Committee, and former State Sen. Paul Kaufman, lawyer for the black lung group.

"The greatest heroes are you coal miners who have taken your future in your hands and said: 'No longer are we going to live and work and die like animals,'" declared Hechler.

He made a \$1,000 cash gift to the association as "an indication that I care." He pledged to continue working for stronger laws for miners health and safety at the national level.

"THE NATIONAL searchlight is on West Virginia," Hechler said. "I can report to you that the hopes and prayers of many people throughout this land are with you."

Kaufman said the association supported Senate Bill 216 sponsored by Sen. W. T. Brotherton, D-Kanawha, and Sen. Robert Holliday, D-Fayette, and House Bill 814 sponsored by Del. Robert Nelson, D-Cabell.

These bills cover black lung and other respiratory diseases, Kaufman said. They contain a "presumption clause" for disability by virtue of the fact that a man worked a certain number of years in the mines, it is presumed that he contracted (Please Turn to Page 2 Col. 7)

(Continued From Page 1)

black lung or some other respiratory disease. X-ray evidence wouldn't be required.

Other major features call for the establishment of a clinic for miners in Charleston and a single medical board to administer the law, instead of two boards to include the present silicosis board as proposed by other bills.

Kaufman said legislators were offering a new bill combining features of the others. "We will take a new bill so long as it looks like an old bill," he said.

DR. BUFF joked, "Coal operators want to give me a gravestone made out of coal if they can use it right away."

He made the observation after noting that individual miners have given him a license plate made of coal and an ashtray. "I can't use it because I don't believe in smoking," he said of the ashtray.

Dr. Rasmussen said legislators "underestimated what miners have between the ears" when lawmakers charge that VISTA workers are behind the work stoppage of about 30,000 miners across the state in support of black lung legislation.

Miners who backed the doctor's statement were Elmer Brown of Delbarton, Mingo County, Elijah Wofford of Morgantown, Joe Malay of Rainelle, William Howard of Moundsville,

Ray Stull of Clifftop and Othene Bennington of Raleigh County.

Dr. Wells, moderator at the rally, prayed toward the close of the meeting for better health and safety laws in mines, asking "God to keep the fire burning in our hearts until we can prevent things that cause explosions."

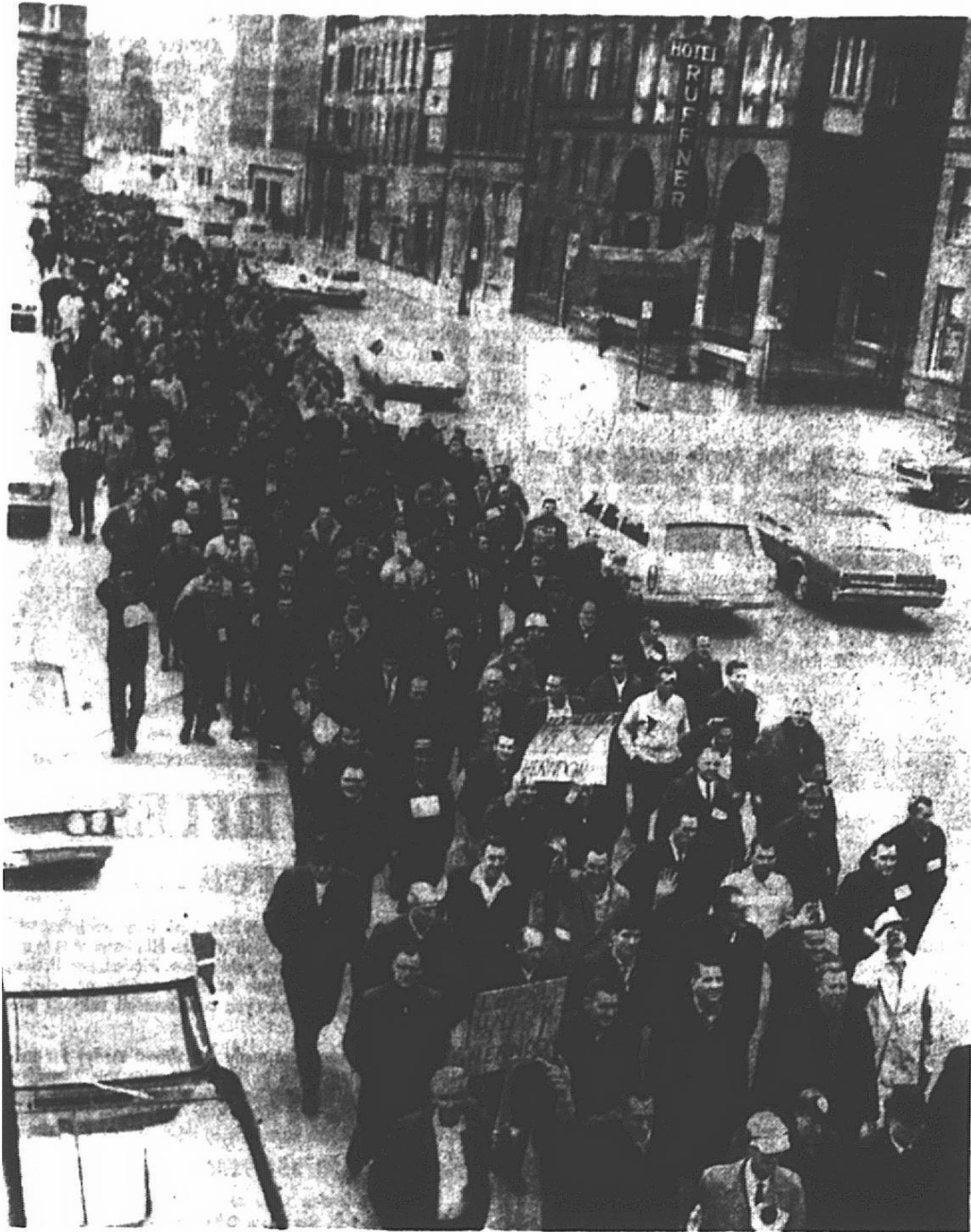
ABOUT 1,000 miners marched from the auditorium to the Capitol. They carried placards which read, "No law, no work." "No law, no coals."

The marchers included several wives and widows of miners.

Mrs. Lymon Calhoun of Gallagher marched with her husband and son, James.

Mrs. James Hall of Gallagher said her 46-year-old husband is disabled, but "doctors tell him it's all in his mind."

Mark Legg, eight-year-old son of miner Charles Legg of Raleigh County, carried a placard reading, "My daddy is a coal miner. He needs protection."



**MINERS MARCH** up Kanawha Boulevard to the Capitol in support of black lung legislation after a rally attended by 2,000 at

Municipal Auditorium. Leading the column are members of UMW Local 9781 of Herdon bearing placards.  
(Staff Photo by Ferrell Friend)

# UMWA And Members Should Respect Terms of Contract

## *A Message to West Virginia About Unlawful Strike*

For the past week, West Virginia coal mines covered by the National Bituminous Coal Wage Agreement between coal operators and the United Mine Workers of America have been shut down through a strike which is in violation of that agreement.

This strike does not arise from any labor dispute between the operators and their employees who are members of the United Mine Workers of America, but arises from the efforts of employee members of that organization and others to influence, by pressure tactics, the passage of so-called "Black Lung" legislation now pending and under consideration by the West Virginia Legislature.

The Coal Wage Agreement between the operators and the United Mine Workers of America obligates the operators to afford specified liberal wages and benefits amounting to a total of more than \$50 per day to employees.

**The signatory operators have performed - and are performing - their obligations under that contract. The contract likewise obligates the employee members of the United Mine Workers to work and not to engage work stoppages in violation of the contract.**

If the mine workers are unwilling to perform their obligations under the contract and the United Mine Workers of America is either unwilling or unable to control the actions of its members—and to maintain the integrity of the contract—the contract is rendered meaningless and ineffectual.

**West Virginia coal operators, signatory to the National Bituminous Coal Wage Agreement with the United Mine Workers of America, call upon the mine workers of West Virginia to stop this unlawful strike and upon the United Mine Workers of America to use immediately all means at its disposal—including all the powers available to it under the constitution and by-laws of that organization—to fulfill the United Mine Workers of America's obligations under the contract and to maintain the integrity of that contract.**

The United Mine Workers of America should make an all-out effort to control the action of its members and thereby uphold the contract.

West Virginia coal operators have stated publicly—and now reiterate—that they favor legislative action which would clarify, and make indisputable, the coverage of coal worker's pneumoconiosis under the West Virginia Workmen's Compensation Law—and which would assure the fair and equitable procedure for determining the existence of, and providing for, the compensation of disability resulting from that disease.

**Any differences which may exist between the operators and the United Mine Workers and its members concerning the form of such legislation can be no possible justification for the unlawful strike now being engaged in throughout West Virginia.**