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RESEARCH ARTICLE

To Live and Die in Catholic L.A.: Cemetery Workers, Catholic Employers, & Labor's Future

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Abstract

This article examines a contentious, failed unionization drive among 140 Latino cemetery workers in the Catholic Archdiocese of Los Angeles between 1988 and 1991. In exploring the bitter fight between Archbishop (later Cardinal) Roger Mahony and the workers and their hopeful union, the Amalgamated Clothing and Textile Workers Union (ACTWU), this piece centers the voices of cemetery workers as they fought for dignity and a recognition of the spiritual and human significance of their labors within an increasingly commodified and corporatized cemetery industry. These workers' struggle also highlights important, but underexplored, twin transformations in American labor, faith politics, and culture in the late twentieth century: intensifying unionization efforts at religious institutions (such as cemeteries, schools, and hospitals) and an attendant fracturing and remaking of labor-Catholic alliances.

On the morning of Monday, September 5, 1988, Los Angeles' Catholic and labor communities gathered to celebrate Labor Day. As had been done for over forty years under the sponsorship of the Catholic Labor Institute (CLI), the day's events began with a Catholic Mass, over which Archbishop Roger Mahony presided. A boisterous and well-attended breakfast at the downtown Biltmore Hotel, featuring a who's-who of politicos and labor leaders in southern California, followed.[1]

This year's Mass, however, unfolded a bit differently than those prior. As worshippers filed up to the altar to receive Holy Communion, many sported bright yellow buttons. These were a quiet message to Archbishop Mahony, urging him to recognize and support the efforts of the Amalgamated Clothing and Textile Workers Union (ACTWU) to organize 140 grounds and maintenance employees at Archdiocesan cemeteries. Dozens of Catholic cemetery workers, as well as union organizers and allies, received the Eucharist silently as they wore buttons reading "Union Yes, ACTWU Cemetery Workers."[2] Recalled organizer Ernesto Medrano, "you couldn't miss that big button . . . We did that as an action, a little bit in your face, not as disrespectful, but we let it be known that you gotta protect workers' rights."[3] The archbishop, however, would later fume over the procession of buttons, calling the protest a "travesty" that devalued Catholic

[1]Henry Weinstein, "Bradley, Others Assail Bush, Urge Election of Democrats," *Los Angeles Times*, Sept. 6, 1988, AV1.

[2]Notes from call with Barbara Mejia, 1988, folder 4, box 1, Catholic Labor Institute Collection, Loyola Marymount Archives and Special Collections Los Angeles, CA [hereafter CLIC].

[3]Ernesto Medrano, interview by author, May 17, 2023.

traditions.[4] He was so upset, in fact, that he never attended the Labor Day celebration again. After 1991, the decades-long tradition ended for good.

The Labor Day Mass was but one bitter flashpoint among many between 1988 and 1991, as cemetery workers at ten Catholic cemeteries in Los Angeles, Santa Barbara, and San Bernardino counties fought a contentious battle for their own union. These workers—the majority of whom were Mexican and Central American immigrants as well as practicing Catholics—sought ACTWU representation in order to boost wages, improve working conditions, and secure life and health insurance benefits. Over the course of three years, these workers signed union representation cards, voted in three elections, and publicly clashed with Mahony over the role of organized labor in the Church. While Archbishop (after 1991, Cardinal) Mahony broadly supported workers' rights to bargain collectively, he consistently rejected his own cemetery workers' specific demands for a union contract. By October 1991, the workers' campaign was dead in the water—and southern California's Catholic cemeteries have remained non-union since.[5]

This particular organizing campaign captured the attentions of progressive activists in Los Angeles and beyond, serving both as a cautionary tale of rising anti-unionism and a parable of hope, highlighting new possibilities for labor in a region undergoing significant demographic changes. Notably, author Mike Davis wrote about these cemetery workers in his iconic 1990 exploration of Los Angeles' past and then-present, *City of Quartz*.[6] In Davis's telling, the failed campaign revealed the growing power of the Catholic Church in the region and the hypocrisy of its social justice-oriented leaders like Mahony—a man who stood side by side with Cesar Chavez and the United Farm Workers just years prior.[7] Rank-and-file union members and labor leaders across the region largely echoed Davis's narrative, centering the Cardinal's betrayal of the labor movement in their accounts of the cemetery workers' struggle. Though Mahony had been "heralded as a hero" when first installed as archbishop in 1985, remembered American

[4]Archbishop Mahony to Patrick Henning, Feb. 7, 1989, folder 4, box 1, CLIC; Mahony to Henning, May 3, 1989, folder 5, box 1, CLIC.

[5]John Martin, interview by author, Jan. 9, 2024.

[6]Mike Davis, *City of Quartz*: *Excavating the Future in Los Angeles* (New York, 1990), 356–61.

[7]The Catholic Church has had a presence in southern California since the region's early history of settler colonialism. From the first Jesuit missions in the 1760s to Mexico's independence in 1821, the Church played a central role in California's early development, particularly through the forced conversions and labor of indigenous peoples. By the early twentieth centuries, its influence waned as American settlers and new arrivals brought Protestant traditions, Pentecostalism, eastern religions, and other faith practices with them. However, as Davis and others have detailed, the Catholic Church maintained significant influence via the conservative Metropolitan Archdiocese of Los Angeles, established in 1936 by papal decree. Under the leadership of Archbishop Joseph J. Cantwell (1936–1947) and Cardinal James Francis McIntyre (1948–1970), the Archdiocese emerged as a key player in Cold War red-baiting, particularly against racial justice activists, radical labor unions, and progressive clergy. At the same time, between 1948 and 1970, the number of Catholics in the archdiocese grew from 625,000 to 1 million, the majority of whom were Latino. Mahony entered in this setting in 1985, with many hoping he would lead the Church towards a progressive embrace of the Latino faithful. See also Nick Street, Richard W. Flory, and Diane H. Winston, "Introduction," in Richard W. Flory and Diane H. Winston, eds., *Religion in Los Angeles: Religious Activism, Innovation, and Diversity in the Global City* (New York, 2021); Diane Winston, "'The Flying Nun' and 'The Painting Nun': Gender, conflict, and representation in 1960s Los Angeles," in Flory and Winston, eds., *Religion in Los Angeles*, 112–14; and Msgr. Francis J. Weber, "Ecclesial Confrontation in Los Angeles: Father DuBay and the Batman Syndrome," *Southern California Quarterly* 78, no. 4 (Winter 1996): 323–46. For data on Latino Catholics, see also Mario T. García, *Father Luis Olivares, A Biography: Faith Politics and the Origins of the Sanctuary Movement in Los Angeles* (Chapel Hill, 2018), 236.

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Federation of Labor and Congress of Industrial Organizations (AFL-CIO) regional director David (Dave) Sickler, the cemetery workers' campaign transformed that accolade to anger.[8] Labor leaders instead described the Cardinal as "unholy" and "ruthless."[9]

At the same time, Davis, Sickler, and other movement and scholarly commentators cast the gravediggers' struggle as an inspiring immigrant-led, grassroots campaign. Though a failure, it was indicative of new possibilities for the city's labor movement, particularly as southern California underwent an "immigrant influx," which "radically altered the composition of the . . . working class." By 1990, nearly thirty-three percent of all employed residents of the region were foreign-born, with most laboring in low-wage, unorganized sectors like textile, construction, and janitorial work.[10] Local union organizers saw this growing pool of immigrant workers as a potential boon (and salvation for their beleaguered unions) especially as these laborers spearheaded their own grassroots organizing campaigns. "Workers in the 'Other Los Angeles'—a preponderantly non-Anglo city of the working poor—have started organizing themselves into unions," enthused the *L.A. Weekly* in its own coverage of the cemetery workers' campaign, for example.[11] Indeed, this campaign—a hot-shop organizing effort of mostly Latino workers, led by ACTWU's team of Latina organizers—complements and confirms recent studies in labor history that emphasize the emergence of an "L.A. model of economic justice organizing and advocacy" in the 1990s, known for its "creative amalgamation of political action, community mobilization, and union militancy."[12] As historians Tobias Higbie and Gaspar Rivera-Salgado argue, setbacks like those experienced at Catholic cemeteries helped to build a local, immigrant-focused movement that defied the city's long history of open shop anti-unionism and stood at the vanguard of innovative organizing at the close of the twentieth century.[13]

Yet the saga of these Catholic cemetery workers is not simply an L.A. story. Rather, it illuminates key developments in the histories of work, faith politics, and immigration in the late twentieth century United States. This article thus considers both the specific, local contexts and

[8]Also of concern was Mahony's clash with a progressive Claretian priest, Father Luis Olivares, who publicly declared his church a Sanctuary for Central American refugees in December 1985. García, *Father Luis Olivares*, 356–59.

[9]Dave Sickler, interview by author, Sept. 4, 2021; Dean E. Murphy, "In Doing God's Work, Cardinal Is All Business," *Los Angeles Times*, June 15, 1992, 3, in folder 22, box 143, ACTWU President Jacob Sheinkman Files, Kheel Center for Labor-Management Documentation and Archives, Cornell University, Ithaca, NY [hereafter Sheinkman Files].

[10]Ruth Milkman and Kent Wong, "Organizing Immigrant Workers: Case Studies from Southern California," in Lowell Turner, Harry C. Katz, and Richard W. Hurd, eds., *Rekindling the Movement: Labor's Quest for Relevance in the 21st Century* (Ithaca, NY, 2001), 105.

[11]Harold Meyerson, "The Other L.A. Gets Organized," *L.A. Weekly*, Sept. 1–7, 1989, 12.

[12]Quotes from Ruth Milkman, Joshua Bloom, and Victor Narro, eds., *Working for Justice: The L.A. Model of Organizing & Advocacy* (Ithaca, NY, 2010), 2; Nelson Lichtenstein, *State of the Union: A Century of American Labor*, 2nd ed. (Princeton, 2013), 264.

[13]Tobias Higbie and Gaspar Rivera-Salgado, "The Border at Work: Undocumented Workers, the ILGWU in Los Angeles, and the Limits of Labor Citizenship," *Labor: Studies in Working-Class History* 19, no. 4 (Dec. 2022): 58–88. As these and other historians detail, Los Angeles has not historically been a labor stronghold but, rather, a notoriously open shop, anti-union city. Since the late 1880s, boosters and businessmen envisioned L.A. as both a site of racial purity and a capitalist haven. By World War I, an open shop "empire" encompassed the region, stunting organized labor's growth, even as the manufacturing, film, citrus, and oil industries grew. Yet working-class people and unions vigorously contested this vision. Into the 1940s, with the influx of wartime industries, organized labor expanded its power and put the open shop on the defensive. In spite of these gains, subsequent Cold War red-baiting and declining union density into the 1970s and 1980s spelled trouble for the labor movement nationally and in Los Angeles—that is, until the movement began organizing low-wage and immigrant workers in the 1970s and 1980s. See William Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of its Mexican Past* (Berkeley, 2005); Natalia Molina, *Fit to be Citizens? Public Health and Race in Los Angeles, 1879–1939* (Berkeley, 2006); John H.M. Laslett, *Sunshine Was Never Enough: Los Angeles Workers, 1880–2010* (Berkeley, 2012); Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965* (Chapel Hill, 2017); and Genevieve Carpio, *Collisions at the Crossroads: How Place and Mobility Make Race* (Berkeley, 2019).

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broader implications of this organizing effort through research in union records, legal archives, and oral history interviews.

First, it builds on Davis's brief exploration—one that sidelined and generalized workers in favor of exposing Mahony's sins—to center the voices, faith, and work experiences of cemetery workers themselves, a group of laborers that few in the fields of labor history and the culture of death have examined. Many such workers spent their entire working lives digging graves and maintaining mausoleums and, importantly, were deeply committed to this work as an extension of their faith, Catholic or otherwise. In unionizing, they sought recognition for the spiritual and human significance of their labors within a rapidly corporatizing, consolidating industry. As journalist Jessica Mitford quipped in 1963, secular and denominational cemeteries alike had become "grotesque cloud-cuckoo-land[s]" of profit, in which the bereaved became consumers and workers' dignity an obstacle to be overcome.[14] Archdiocesan cemeteries, though saturated with spiritual symbolism and eschatological meaning, were part of this "grotesque," inequitable, and racially stratified landscape. As such, part of the explanation for the failure of the Los Angeles campaign lies in the national industry of death itself as it corporatized, consolidated, and embraced union-busting tactics.[15]

In unearthing these workers' stories, this article also argues that the cemetery workers' campaign—in its longevity and its failure—sheds light on important, but underexplored, twin transformations in American labor and faith politics in the late twentieth century: intensifying unionization efforts at religious institutions and an attendant remaking of labor-Catholic alliances nationwide.[16] From sectarian cemeteries to parochial schools, a growing number of non-union, lay Catholic employees began to test the social justice teachings of their Catholic employers by demanding unions (in spite of a 1979 U.S. Supreme Court ruling that confirmed

[14]Jessica Mitford, *The American Way of Death Revisited* (New York, 1998), 14–15.

[15]Since the 1970s, historians, sociologists, and anthropologists have extensively examined the social construction of death in war and in peace. A recent resurgence in the study of death has produced innovative studies that combine political and socioeconomic analyses with cultural histories of death. Even so, relatively little ink has been spent on the *workers* who maintain complex, emotional necrogeographies. On the historiography of death, see Philippe Ariès, *The Hour of Our Death*, trans. Helen Weaver (New York, 1981); David Charles Sloane, *The Last Great Necessity: Cemeteries in American History* (Baltimore, 1991); Claudio Lomnitz, *Death and the Idea of Mexico* (New York, 2005); Julie Rugg, "Lawn Cemeteries: The Emergence of a New Landscape of Death," *Urban History* 33, no. 2 (2006): 213–33; Vincent Brown, *The Reaper's Garden: Death and Power in the World of Atlantic Slavery* (Cambridge, MA, 2008); Drew Gilpin Faust, *This Republic of Suffering: Death and the American Civil War* (New York, 2008); Seth Mallios & David M. Caterino, "Mortality, Money, and Commemoration: Social and Economic Factors in Southern California Grave-Marker Change During the Nineteenth and Twentieth Centuries," *International Journal of Historical Archaeology* 15, no. 3 (Sept. 2011): 429–60; Thomas W. Laqueur, *The Work of the Dead: A Cultural History of Mortal Remains* (Princeton, 2015); and Hannah Malone, "Historiographical Review: New Life in the Modern Cultural History of Death," *The Historical Journal* 62, no. 3 (2019): 833–52.

[16]As labor and Catholic historians have observed, the Church and working-class American (and especially immigrant) communities have long been closely tied. Notably, the papal encyclicals of *Rerum Novarum* (1891) and *Quadragesimo Anno* (1931) affirmed the Church's support for working-class dignity and the organization of collective associations. Inspired by these encyclicals, lay Catholics and activist clergy in the United States began to form organizations to promote workers' rights, provide labor education, and intervene in labor disputes in the 1930s. These ties became closer during the Cold War, but frayed and evolved by the end of the twentieth century, as this article explores. See *Rerum Novarum*, "Encyclical of Pope Leo XIII on Capital and Labor" (1891); John C. Cort, "The ACTU & Auto Workers," *U.S. Catholic Historian* 9, no. 4 (Fall 1990): 335–51; James P. McCartin & Joseph A. McCartin, "Working-Class Catholicism: A Call for New Investigations, Dialogue, & Reappraisal," *Labor: Studies in Working-Class History of the Americas* 4, no. 1 (2007): 99–110; and Paul E. Lubienecki, "The American Catholic Diocesan Labor Schools: An Examination of their Influence on Organized Labor in Buffalo & Cleveland" (PhD diss., Case Western University, 2013). On Cold War labor-Catholic relations, see also Kenneth C. Burt, "The Battle for Standard Coil: The United Electrical Workers, the Community Service Organization, and the Catholic Church in Latino East Los Angeles," in Robert W. Cherny, William Issel, and Kieran Walsh Taylor, eds., *American Labor and the Cold War* (New Brunswick, NJ, 2004), 118–40.

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the "ministerial exception" for religious employers and workers under U.S. labor law).[17] For its part, organized labor saw great opportunity to expand union membership in these growing, service-oriented sectors. While historians have explored the expansion and unionization of service industries in this period, especially in healthcare, few have yet explored the particularities of organizing at religious institutions.[18] Similarly, while numerous recent studies in the fields of religious and Catholic history have surveyed the intersections of faith, working-class communities, and the labor movement, efforts to unionize spaces of "religious work" remain underexamined.[19] Notably, these often-tense organizing campaigns raised thorny questions about faith and the Church's role as *boss*; they also tested long-standing, historic alliances between the Church and organized labor, sowing divisions and acrimony between the two. In southern California, one casualty of this divide was the CLI and its annual Labor Day celebration. Here and elsewhere, however, these fractures paved the way for progressive, creative alliances between labor and religious organizations, particularly around the shared concern of immigration reform. This history of Los Angeles' Catholic cemetery workers and their ACTWU allies thus invites a deeper exploration of religious work, the cemetery industry, and, more broadly, the politics and labors of faith—and death—in the late twentieth century United States.

Working Among the Dead

"Gravedigging and cemetery care is dirty and dangerous work," noted one ACTWU pamphlet in support of the Los Angeles' cemetery workers' campaign. "Workers describe eye injuries, broken bones, and having to exhume bodies in unsanitary conditions."[20] Indeed, cemetery labor has long been demanding, unpredictable, and perilous. On any given day, cemetery workers might be expected to dig graves; transport and care for coffins; manage disinterments; stand atop ladders in cavernous mausoleums; and maintain cemetery grounds and gardens. The "composite nature of the cemetery worker job" has also presented risks of bodily harm to employees, from shattered bones to death on the job.[21] Noted one observer of such work in 1954, "the Cemetery Worker earns every dollar that is paid to him."[22]

The "Cemetery Worker," however, has rarely been more than an ancillary character in the numerous volumes produced on the subjects of death, dying, and cemeteries in the past half century. He (and it is most often a "he") remains a solitary figure in the mist, both in popular

[17]*National Labor Relations Board v. Catholic Bishop of Chicago,* 440 U.S. 490 (1979).

[18]For instance, see Jennifer Klein and Eileen Boris, *Caring for America: Home Health Workers in the Shadow of the Welfare State* (New York, 2015) and Gabriel Winant, *The Next Shift: The Fall of Industry & the Rise of Health Care in Rust Belt America* (Cambridge, MA, 2021).

[19]In his examination of work at an evangelical Protestant publishing house in the early twentieth century, Christopher D. Cantwell defines "religious work" as "forms of employment or compensated labor whose services contribute to the functioning of identifiably religious institutions or workplaces." Christopher D. Cantwell, "'Religion . . . Is Our Business': Religious Workers and Religious Work at the David C. Cook Publishing Company," *Practical Matters Journal* (Mar. 8, 2017), https://practicalmattersjournal.org/2017/03/08/religion-is-our-business/ (accessed Apr. 10, 2024). On working-class faith and culture, see also Joseph A. McCartin, "Estranged Allies on the Margins: On the Ambivalent Response of Labor Historians to Catholic History," *U.S. Catholic Historian* 21, no. 2 (Spring 2003): 114–20; Christopher D. Cantwell, Heath W. Carter, and Janine Giordano Drake, eds., *The Pew and the Picket Line: Christianity and the American Working Class* (Urbana, IL, 2016); and Sergio M. González, *Strangers No Longer: Latino Belonging and Faith in Twentieth Century Wisconsin* (Urbana, IL, 2024).

[20]ACTWU, "Justice For Cemetery Workers!" Pamphlet, ca. 1988, folder 7, box 118, Rodolfo F. Acuña Collection, Special Collections and Archives, California State University, Northridge, CA.

[21]ACTWU, "Justice For Cemetery Workers!"; Arbitration Panel Reports, *Cemetery Workers' and Greens Attendants' Unions*, Local 265 and 322 and The Associated Cemeteries of San Francisco, East Bay Investment Properties Association, and the Catholic Cemeteries of the East Bay, June 9, 1954, folder 10, box 10, SEIU Executive Office, William McFetridge Records, Series I, Walter Reuther Library, Wayne State University, Detroit, MI [hereafter McFetridge Records].

[22]Arbitration Panel Reports, June 9, 1954.

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culture and historical scholarship.[23] The cemetery worker, or gravedigger, is often lost in the passive discussion of *a body* being laid to rest.

Yet at public and private cemeteries in Europe and North America, cemetery workers have been anything but passive. Instead, they have done the essential, if underacknowledged, work of curating and transforming necrogeographies over the past two centuries. Cemeteries, as we know them today, debuted in Europe and the United States in the early nineteenth century as secular and hygienic alternatives to overcrowded churchyards.[24] Beginning with the 1804 opening of *Père-Lachaise* in Paris and, in 1831, Mount Auburn in Boston, a "new regime" of the dead emerged.[25] "Cemeteries [became] parks," writes Thomas W. Laqueur, "adapted to accommodating diverse thousands . . . of the dead in various degrees of commemorative splendor or oblivion."[26] By the late nineteenth century, these park-like, "rural" cemeteries had spread across the United States, most of which were under the care of a professional superintendent and a growing workforce.[27] Into the twentieth century, an updated, more profit-conscious form of necrogeography emerged: the "memorial park," known for its flat, often bronze, memorial markers and sprawling lawns.[28] Newer cemeteries, like the iconic Forest Lawn Memorial Park in Los Angeles County (founded in 1913), made death "peaceful and poetic," embraced patriotic and Christian symbolism, and promoted mausoleum burials, tactics that proved to be wildly profitable.[29] Forest Lawn, for example, sold over $7 million in services in 1959 alone.[30]

In the post-World War II era, the expansion and modernization of the cemetery brought its commodification and corporatization. Undertakers, funeral directors, and cemetery owners sold what Mitford derided as an "American way of death," replete with pre-need sales packages, luxurious caskets, complicated embalming procedures, and pricey gravesite real estate.[31] Those in the cemetery business saw their work as just that—a business. "We are manufacturers," noted one cemetery director in 1944. "Instead of coke, slag, pig-iron, etc., we take ground, fertilizer, seed, shrubs, trees, flowers, water, stones, top dressing, etc. and with equipment and men we manufacture a 'product' known as a cemetery. Then we divide this product into individual lots—'packages'—and there you have it."[32] Though religious leaders and clergy bemoaned the commodification of grief, sectarian cemeteries also evolved throughout the twentieth century. In order to compete with the aggressive marketing approaches of secular cemeteries and maintain eschatological authority, religious cemeteries formed national associations and tentatively embraced newer trends in mortuary rituals, from ornate caskets to cremation in the 1960s.[33]

[23]See footnote 15 for more.

[24]Laqueur, *The Work of the Dead,* 309–11. Though religiously pluralistic, these spaces of burial were starkly segregated by class and race. In the United States, newer "memorial park" cemeteries in the 1910s and 1920s hardened the color line in death. As a result of these discriminatory practices, cemeteries and mortuaries run by and for people of color were key sites of community-building and capital accumulation. See also Sloane, *The Last Great Necessity,* 162, 187–88 and Christopher Leevy Johnson, "Undertakings: The Politics of African-American Funeral Directing," (PhD diss., University of South Carolina, 2004).

[25]Laqueur, *The Work of the Dead*, 261–88.

[26]Ibid., 287.

[27]Sloane, *The Last Great Necessity*, 99–105, 119–21.

[28]For "necrogeography," see also Laqueur, *The Work of the Dead*, 123. World War I and the influenza epidemic changed Americans' experiences with—and commemoration of—death, ushering in more modest, flush memorial plaques. Mallios & Caterino, "Mortality, Money, and Commemoration."

[29]Ariès, *The Hour of Our Death*, 600.

[30]Thomas David Eskew, "Determination of the Need for and the Location of Cemeteries in the Community" (M.A. thesis, Georgia Institute of Technology, 1963), 6–7; Mitford, *The American Way of Death Revisited,* 101–10; Sloane, *The Last Great Necessity*, ch 7.

[31]Mitford, *The American Way of Death Revisited.*

[32]Thomas Rankin, quoted in Sloane, *The Last Great Necessity,* 208, 270fn39.

[33]For instance, see Rev. Edward R. Horkan, "Sacred Land for the Living and the Dead: A Discussion of Particular Law for the Governance of Catholic Cemeteries" (M.A. thesis, Catholic University of America, 2021), 20–31; Mitford, *The American Way of Death Revisited*, 111–22.

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At most cemeteries, a small crew of workers helped to make this "product" attractive and profitable, handling burials as well as grounds maintenance. Work was at its busiest in summer months, but laborers kept active in the winter with patching, repair, or other "ambitious" construction projects.[34] For the most part—and especially at sectarian cemeteries—workers were recent immigrants, often laboring within the ethnic parishes that made up their faith and immigrant communities. This work was communal, linked to their spiritual practices, and seen to be a first, temporary job upon arrival in the United States, though many stayed in the occupation for decades.[35]

As the industry evolved, so too did workers' daily responsibilities. Expansion and modernization brought speed-ups, reduced pay, and threats to their job security. For example, as cemeteries featured expansive lawns with flush monuments, grounds maintenance changed. More mowing could be done with less manpower. And though the need for freshly-dug graves did not disappear, this work was also changing, thanks to the invention of the mechanical backhoe in the late 1940s. Cemetery owners widely adopted this new technology by the 1950s.[36] These machines could reduce the amount of digging time, noted one report, from seven hours to forty-five minutes; only one man and an assistant were needed to operate the backhoe.[37] At the same time, cemetery work also shifted to mausoleums and vaults, popular features of memorial park cemeteries.[38] Here, workers often handled heavy—and poorly designed—vaults, which often caved in, requiring disinterment of bodies.[39] This, noted one union official, made for "a nasty job and a needless one."[40]

Facing rapidly evolving working conditions, alongside wage stagnation, many American cemetery workers turned to organized labor. The late 1940s proved to be prime years for organizing in the industry. One union in Chicago led the way: Local 106 of the Building and Service Employees International Union (BSEIU). A youthful organizer, Miles E. Barry, chartered the union in 1943 and secured contracts that year for three local Catholic cemeteries, St. Mary, St. Joseph, and St. Boniface. Within one year, Local 106 boasted that workers at forty-three out of fifty local cemeteries had signed union membership cards.[41] By 1949, all Catholic, Protestant, Jewish, and secular "cemeteries in the Chicago metropolitan area had been 100% organized."[42] Such wall-to-wall organizing—which extended into funeral homes (including Black-owned establishments), vault production facilities, and burial garment companies—produced impressive contracts that boosted wages, improved working conditions and benefits, and guaranteed a forty-hour work week.[43] Local 106's example

[34]Arbitration Panel Reports, June 9, 1954, 6; Photographs, Chicago cemeteries, ca. 1950s, folder 20, box 8, SEIU Local 1 Records, Reuther Library, Detroit, MI [hereafter SEIU Local 1 Records].

[35]Union membership rolls and meeting minutes indicate that most cemetery workers were recent immigrants. See, for example, Local 106 Regular Meeting Minutes, Oct. 21, 1943, folder 27, box 4, SEIU Local 1 Records. On ethnic parishes, see John T. McGreevy, *Parish Boundaries: The Catholic Encounter with Race in the Twentieth-Century Urban North* (Chicago, 1996), 10–28.

[36]Local 106 Regular Meeting Minutes, June 21, 1951, folder 30, box 4, SEIU Local 1 Records; Sloane, *The Last Great Necessity*, 238–39.

[37]Clipping: James Peneff, "Grave Diggers Drop Shovels, Start Machine," undated, in Miles Barry Scrapbook, folder 80, box 8, SEIU Local 1 Records; Tom Donahue to Stanley Matuszewski, Jan. 11, 1963, folder 15, box 34, SEIU Executive Office, David Sullivan Records, Series I, Reuther Library, Detroit, MI [hereafter Sullivan Records].

[38]Sloane, *The Last Great Necessity*, 220–27.

[39]Workers complained that the vaults lacked adequate handles. Local 106 Executive Board Meeting Minutes, June 19, 1967, folder 17, box 4, SEIU Local 1 Records.

[40]Local 106 Executive Committee Meeting, Aug. 19, 1977, folder 22, box 4, SEIU Local 1 Records.

[41]"Cemetery Workers Union – Local 106," 1979, 2, folder 44, box 4, SEIU Local 1 Records.

[42]"Cemetery Workers Union – Local 106," 3.

[43]Ibid., 4–10.

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spread to other urban areas such as New York City, Minneapolis, Oakland, and San Francisco.[44]

For cemetery workers and their unions, most benefits and wage increases were not given but, rather, won through regular—and often tense—strikes. Local 106, for example, would strike cemeteries (along denominational or secular groupings) eleven times between 1943 and 1992.[45] In the Bay Area in northern California, BSEIU Locals 265 and 322 launched joint strikes nearly half a dozen times between the unions' 1948 charters and 1988.[46] And in New York City, members of BSEIU Local 365 walked off the job thirteen times between 1949 and 1999.[47] Each time these unions struck, the general public felt it acutely: funeral processions had to weave through picket lines, burials were delayed, and bodies piled up in cemetery cold storage.

Because of the frequency of these strikes—and the landscape of grief on which they played out—the public, cemetery owners and religious leaders, and workers themselves increasingly debated the nature and meaning of cemetery labor. All parties agreed that this work was essential and sensitive. Workers thus demanded appropriate compensation, safe working conditions, and "dignity and respect" on the job, especially as they engaged in what they saw as their "moral and sacred obligation" to help bury the dead.[48] Cemetery owners and consumers, by contrast, saw that sacred obligation as exempting these workers from strikes and third-party union contracts.

Two bitter strikes underscore the thorny moral (and theological) questions that cemetery workers' activism posed, particularly for Catholic cemeteries. The first, what one Catholic labor leader called "the most memorable labor dispute in the history of U.S. church-related institutions," began in New York City in January 1949 when 300 unionized cemetery workers went on strike against the Catholic Archdiocese.[49] After three months and over 1,000 delayed burials, Cardinal Francis Spellman broke the strike by hiring seminarians as temporary replacement workers.[50] Throughout the conflict, Cardinal Spellman insisted that cemetery workers were not "regular" workers but, rather, engaged in "a religious service"—the "corporal works of mercy"—that fell outside of labor law. Here, eschatology enabled union-busting.[51] Over two decades later, in 1971, consumers echoed Cardinal Spellman's sentiment during a five-month long strike in the San Francisco Bay Area.[52] Even in a union-friendly region, public

[44]For Barry's work in New York, see Packet of Catholic Cemetery & Union Contracts (for Local 365), 1967, folder 17, box 34, Sullivan Records. For his work in Oakland and San Francisco, see Local 106 Regular Meeting Minutes, Oct. 21, 1948, folder 29, box 4, SEIU Local 1 Records.

[45]Local 106 Meeting Minutes, 1943–1985, folders 10–46, box 4, SEIU Local 1 Records; Helaine Olen & Steve Johnson, "More burials delayed by strike," *Chicago Tribune*, Jan. 3, 1992, 67–8.

[46]Local 265 Correspondence, 1959–1965, folder 11, box 28, Sullivan Records; Local 322 Correspondence, 1961–1969, folder 28, box 32, Sullivan Records; "Why 11 Peninsula Cemeteries have been forced to close," *San Francisco Examiner*, June 5, 1971; Candy J. Cooper, "Cemetery workers to strike," *San Francisco Examiner*, May 29, 1988, B-3.

[47]Local 365 Correspondence, 1949–1987, folders 14–19, box 34, Sullivan Records; Local 365 Newsletter, 1977–1987, folders 1–2, box 61, SEIU Publications, Reuther Library; Michael D. Goldhaber, "Cemeteries' Labor Fight," *Newsday*, Apr. 9, 1998, 30; Ellis Henican, "Strike Buried in Religion," *Newsday*, June 26, 1998, 8, 44.

[48]Quotes from Miles E. Barry, Local 106 Executive Board Meeting Minutes, Oct. 15, 1976, 2, folder 22, box 4, SEIU Local 1 Records.

[49]Quote by Monsignor George Higgins, in Arnold Sparr, "'The Most Memorable Labor Dispute in the History of U.S. Church-Related Institutions': The 1949 Calvary Cemetery Workers' Strike against the Catholic Archdiocese of New York," *American Catholic Studies* 119, no. 2 (Summer 2008): 3.

[50]Royal Riley & Jack Turcott, "Gravediggers Quit 'Red' CIO Union," *NY Daily News*, Mar. 9, 1949, 3, 44; "Gravediggers in New Union," *NY Daily News*, Mar. 11, 1949, 20; "Cemetery Strike Ended," *NY Daily News*, Mar. 12, 1949, 5.

[51]Dominick Unsino, "Gravediggers Disown Reds, Push Fight for Wages," *NY Daily News*, Mar. 5, 1949, 3, 12. As Arnold Sparr argues, Spellman's response also reflected a "paternalistic Catholic management mentality" within the pre-Vatican II Church. Sparr, "'The Most Memorable Labor Dispute'," 31.

[52]"Strike Planned at 12 Bay Cemeteries," *San Francisco Examiner*, May 29, 1971.

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opinion sided with cemetery owners and the bereaved, with observers deeming pickets "disgraceful."[53] As the strike dragged on for months, a "cortege" of forty-one mourners made their way to the state capitol to beg Governor Ronald Reagan for intervention. "FOR GOD'S SAKE LET US BURY OUR DEAD," read a placard on the mourners' bus.[54] Within days, the cemetery workers' unions—BSEIU Locals 265 and 322—signed agreements with cemeteries, cowed by public outcry and political pressure.[55]

By the 1970s and 1980s, disputes throughout the United States, as well as in the United Kingdom, played out similarly, with cemetery workers' struggles cast as betrayals (rather than affirmations) of their sacred roles. Their activism rendered them scapegoats and symbols of organized labor's overreach.[56] As one "FED UP" Bronx resident wrote to the *Daily News* in 1974, "the American people will someday be put in their graves by strikes. That is, if the undertakers and gravediggers are not on strike."[57]

Organizing Among the Dead in Los Angeles

Cemetery workers in the Catholic Archdiocese of Los Angeles faced many of the same working conditions and challenges as their Chicago, New York, and Bay Area counterparts—though they labored without a union contract. Spread across three counties and ten (later eleven) cemeteries, 140 men worked in small, tight-knit crews. Regardless of the cemetery for which they worked, these men shared a few common characteristics: they were overwhelmingly immigrants from Mexico and Central America, with most having arrived in the United States in the 1970s and, since then, had given at least ten years of service to the Archdiocese. Most were faithful Catholic parishioners, framing their employment as "pastoral and spiritual" in nature.[58] Calvary Cemetery in East Los Angeles, for example, employed twenty-eight groundskeepers and grave diggers; among them were some stalwart old-timers, like Zacarias Gonzalez, who began working at the cemetery in the early 1960s, and Hilario Ramirez, a Mexican immigrant with thirteen years of service by 1988.[59] Gonzalez, Ramirez, and others were expected to not only facilitate interments and maintain grounds but also "sometimes serve as acolytes at [daily] Mass."[60]

From Calvary to Santa Clara Cemetery in Oxnard, cemetery workers also shared a long list of grievances against the Archdiocese. First, there was the pay. "These workers make extremely poor wages," noted ACTWU's Dolly Flores.[61] José Aranda at Calvary, for example, noted that in spite of his twelve years on the job, he had been passed over repeatedly for a raise. In 1988, he still made only $5.75 an hour (by contrast, unionized cemetery workers in the Diocese of

[53]Guy Wright, "From the Survivors," *San Francisco Examiner*, Aug. 16, 1971.

[54]Wright, "Cortege to the Capitol," *San Francisco Examiner*, Oct. 3, 1971; "Reagan to Help in Burial Strike," *San Francisco Examiner*, Oct. 4, 1971, 1, 4; Rev. Lester Kingsolving, "Tragic Dignity of Pilgrimage Hit Reagan," Oct. 6, 1971, *San Francisco Examiner*, 5.

[55]"Cemetery Workers On Job," *San Francisco Examiner*, Oct. 6, 1971.

[56]A 1979 gravediggers' strike in Liverpool—part of a broader public sector workers' strike—incited both a "media frenzy" and physical attacks on strikers. Tara Martin López, *The Winter of Discontent: Myth, Memory & History* (Liverpool, 2014), 125–26.

[57]"Too Many Strikes," *NY Daily News*, Feb. 22, 1974, 41.

[58]"Catholic Cemetery Workers Reject Union Representation," *Tidings*, Oct. 25, 1991, 1, Archdiocese of Los Angeles, Archival Center, Los Angeles, CA [hereafter ALAAC].

[59]Worker petitions, Nov. – Dec., 1989, *ACTWU v. Archdiocese*, C751451, Volume II, Archives of the Superior Court of Los Angeles; Henry Weinstein, "Archdiocese Fires 3 Active in Organizing Gravediggers," *Los Angeles Times*, Apr. 8, 1989; Bob Baker, "Grave Dispute: Archdiocese Cemetery Workers to Vote Again on Union," *Los Angeles Times*, Oct. 19, 1991.

[60]NLRB Decision and Order, Oct. 3, 1988, 8, *ACTWU v. Archdiocese*, C751451, Volume II.

[61]Meyerson, "The Other L.A. Gets Organized," 12.

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Oakland earned between $7 and $14).[62] To make matters worse, Aranda and his coworkers never received their annual Christmas bonus in 1987, something ACTWU later argued was because the "Church needed the money to pay for the Pope's September 1987 visit to Los Angeles."[63]

Second, workers cited years of unsafe working conditions and inadequate medical coverage. Renando Flores, who had been in cemetery work for twenty-six years, once fell from a sixteen-foot mausoleum ladder, breaking both legs. He had to pay for most of his own medical care and was left without feeling in his toes. The strain of this work could even kill older workers. Gustavo Molina, for example, noted that one of his first work partners, a man named Guadalupe Olivar, collapsed, and later died, while trimming hedges.[64] And in the spring of 1988, another cemetery worker died on the job, after which his colleagues learned that their "life insurance had been cancelled and that [the] family [of the deceased] would receive no death benefits."[65]

Angry and grieving, cemetery workers were ready to take collective action. In the "urban laboratory" of Los Angeles—home to many unions (but no secular cemetery workers' local) and the site of burgeoning immigrant advocacy and vibrant hometown associations—these men relied first on their connections as *immigrants* to seek out union representation.[66] Notably, they returned to a space that had proven instrumental in assisting immigrants in the work of adjusting their status under the 1986 Immigration Reform and Control Act (IRCA): ACTWU's meeting hall, food bank, and offices in downtown Los Angeles. As Ernesto Medrano recalled, "this whole [cemetery] campaign kind of was an offshoot" of the Labor Immigrant Assistance Project (LIAP), in which local union halls became intake centers for immigrants (and would-be union members). Drawn back to ACTWU's headquarters through their familiarity with the union and their desire for change, cemetery workers connected with two of the union's lead organizers.[67] The first, Barbara Mejia, had worked her way up in the union's Southern California organizing staff and leadership, becoming the manager of the union's California Joint Board by 1987.[68] The second, Cristina Vásquez, an Ecuadorian immigrant, began her tenure in Los Angeles' labor movement as a garment worker. After her non-union shop went on strike in 1976, she joined the International Ladies Garment Workers Union (ILGWU) as an organizer. By the 1980s, she had moved to ACTWU, doing similar organizing among garment and other low-wage immigrant workers.[69]

In their organizing work, Mejia and Vásquez embodied—and challenged—the shifting priorities of Los Angeles's labor movement and, more specifically, ACTWU, in the 1970s and 1980s. ACTWU itself was born in 1976 through the merger of two garment workers' unions: the Textile Workers Union of America (TWUA) and the Amalgamated Clothing Workers of

[62]ACTWU, "Justice For Cemetery Workers!"; Michael Collier, "Cemetery workers call for state mediator; stage sit-in at Diocese offices," *Oakland Tribune*, June 2, 1988, 14.

[63]ACTWU, "Justice For Cemetery Workers!".

[64]All testimonials and quotes from ibid.

[65]Henry Weinstein, "Gravediggers Seek Church OK for Union," *Los Angeles Times*, July 9, 1988, 3. The deceased was never named in documents related to the incident.

[66]Quote from Milkman, Bloom, and Narro, eds., *Working for Justice*, 1. On immigrants' hometown associations, mostly established in the 1960s, see Ana Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge, MA, 2018), 125–56.

[67]Medrano interview. On LIAP, see Victor Narro, "Immigrant Worker Organizing," in Kent Wong, Julie Monroe, Peter B. Olney, and Jaime A. Regalado, eds., *From Coors to California: David Sickler & the New Working Class* (Los Angeles, 2019), 50–52.

[68]ACTWU Reimbursements & Weekly Reports for Barbara Mejia, 1983, folder 11, box 21, Richard Rothstein Collection of ACWA-ACTWU Files, Kheel Center, Cornell University, Ithaca, NY; Invitation to Local 288 50th Anniversary, Aug. 15, 1987, folder 19, box 125, ACTWU's Secretary-Treasurer's Office Records 1928–1997, Kheel Center.

[69]"Cristina Vásquez," in Ruth Milkman and Kent Wong, eds., *Voices from the Front Lines: Organizing Immigrant Workers in Los Angeles* (Los Angeles, 2000), 5–6. ACTWU and ILGWU would merge in 1995 to form UNITE.

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America (ACWA). Both had long histories of radical organizing among garment workers in the Northeast and, later, in the American South and Sunbelt as manufacturers moved away from union strongholds.[70] In the 1970s, both launched innovative and multiracial boycott campaigns against anti-union employers. First was ACWA's 1972 to 1974 boycott of Farah Manufacturing Company (clothing) in support of Latina workers in the United States-Mexico borderlands. This was followed by TWUA's efforts to organize multiracial workers with the anti-union firm J.P. Stevens, which ACTWU turned into a nationwide boycott and corporate campaign from 1976 to 1980.[71] As ACTWU staff organizer David Werlin later recalled, the union was "trying to be on the cutting edge of organizing," particularly though grassroots organizing campaigns that engaged immigrants and low-wage workers of color.[72]

Organizers like Mejia and Vásquez were right at this "cutting edge" in Los Angeles, reaching out to Spanish-speaking and immigrant workers, organizing at the grassroots, and working creatively to expand the union's membership base beyond the garment industry.[73] And so, when Hilario Ramirez and other cemetery workers showed up at ACTWU's union hall looking for help, Mejia and Vásquez jumped on board. In the spring and summer of 1988, they launched a card-check campaign, going cemetery to cemetery distributing union cards.[74] By June, 120 out of 140 cemetery workers had signed on to the campaign.[75]

On July 1, with a stack of cards in hand, Mejia and other Los Angeles labor officials, like William R. Robertson of the Los Angeles County Federation of Labor, met with the archbishop and asked him to recognize the union.[76] Mahony, however, declined to take such a step, regarding the card-check campaign as borne of "peer pressure."[77] Though he affirmed workers' rights to a union, he insisted that he preferred to "meet alone with representatives of the employees . . . to fully ascertain their concerns."[78] One week later, cemetery workers, ACTWU representatives, and allies amplified their demand for recognition, putting up a picket line around the Archdiocesan chancery office in downtown Los Angeles (Figure 1). Bilingual placards insisted that "*Nuestros Intereses Son Justos*" ("Our interests are just") and that workers only wanted a "peaceful agreement."[79]

Though Mahony himself was in Rome at the time of the picket, he issued a carefully worded response that once again rejected ACTWU's card-check campaign and emphasized his concern

[70]On the TWUA and its merger with ACWA, see Timothy J. Minchin, "*Don't Sleep with Stevens!": The J.P. Stevens Campaign and the Struggle to Organize the South, 1963–1980* (Gainesville, FL, 2005), 8, 76, 87–89.

[71]On Farah, see Emily Honig, "Women at Farah Revisited: Political Mobilization and Its Aftermath among Chicana Workers in El Paso, Texas, 1972–1992," *Feminist Studies* 22, no. 2 (Summer 1996): 425–52. On the J.P. Stevens campaign see also Minchin, "*Don't Sleep with Stevens!*".

[72]David Werlin, interview by author, July 14, 2023.

[73]In their organizing work, Mejia and Vásquez often faced sexism and racism from employers and union leaders alike. Mejia regularly clashed with male ACTWU leaders in southern California, who accused her of being too emotional and unqualified for her role as Joint Board manager. See Nichols to Sheinkman, Dec. 21, 1988 and Jan. 12, 1989, folder 45, box 6, Sheinkman Files.

[74]A card-check campaign offers an alternative to an NLRB-supervised election, requiring only a majority of workers in a bargaining unit to sign cards authorizing a union to serve as their bargaining representative. The NLRB, under the 1935 National Labor Relations Act, requires that an employer recognize the union if a majority of employees have signed cards. As Dorothee Benz noted in 1998, unions increasingly turned to card-check campaigns in the 1980s and 1990s to sidestep employers' varied strategies to avoid or impact elections. Benz, "Scaling the Wall of Employer Resistance: The Case for Card Check Campaigns," *New Labor Forum*, no. 3 (Fall, 1998): 118.

[75]"Stipulated Statement of Facts & Order," May 24, 1991, 2, in *ACTWU v. Archdiocese*, C751451, Volume II.

[76]Weinstein, "Gravediggers Seek Church OK for Union"; Declaration of Barbara Mejia, May 23, 1991, in *ACTWU v. Archdiocese*, C751451, Volume III.

[77]Henry Weinstein and Laurie Becklund, "Archbishop is Asked to Let Catholic Cemetery Workers Vote on Union," *Los Angeles Times*, Oct. 6, 1988, 44.

[78]Weinstein, "Gravediggers Seek Church OK for Union."

[79]Ibid.

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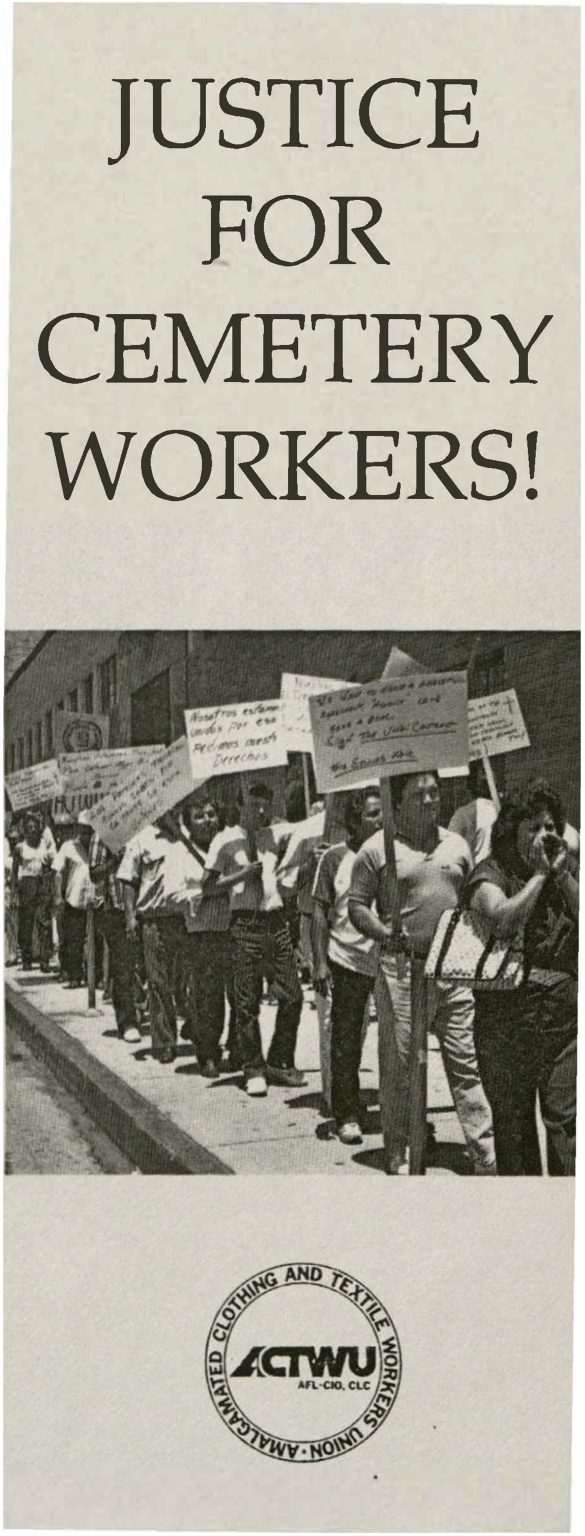

Figure 1. Cemetery workers and their allies march in support of the union campaign, circa 1988. This image was featured on the front fold of an ACTWU pamphlet in support of the cemetery workers' fight. folder 7, box 118, Rodolfo F. Acuña Collection, Special Collections and Archives, California State University, Northridge, CA.

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for "the legitimate needs of all employees," which "flows both from the Gospels and from the social teachings of the Church." However, he believed that "the best approach is a collaborative one directly between the workers and the Archdiocese."[80] The archbishop's contradictory position echoed that of Cardinal Spellman during the infamous 1949 cemetery strike in New York City. While Mahony affirmed his long-standing support for labor and aligned with over a century of papal encyclicals supporting individual workers' rights to form associations, he believed that cemetery workers' religious duties rendered them outside of federal labor law.[81] To test this theory and defer action, the archbishop sent the case to the National Labor Relations Board (NLRB), asking it to decide whether these workers, as employees of a religious institution, had the right to unionize.[82]

As the NLRB considered Mahony's request, Catholic Angelenos eagerly anticipated that year's Labor Day Mass and Breakfast, an event at which the archbishop and ACTWU organizers would surely encounter one another. Its host, the CLI, was a storied Los Angeles institution that embodied both the teachings of labor-minded papal encyclicals and the historically warm relationship between labor and the Church. Founded in 1947, its mission was to provide spiritual and educational opportunities for the city's working-class Catholics, prevent the spread of communism in organized labor, and promote labor-management harmony.[83] By the 1980s, the CLI had established itself as an active space for collaboration and political activism. Its advisory board reflected this, expanding to include representatives from ACTWU, State Building and Construction Trades, local clergy, and Catholic rank-and-file union members, for example.[84] "It was a cherished institution," remembered Dave Sickler. "Everybody loved it."[85]

In 1988, CLI director Patrick W. Henning and his staff prepared carefully for the annual gathering, hoping to avoid any awkward standoffs over the Catholic cemeteries issue. Notably, Henning demanded assurances that ACTWU and cemetery workers would do nothing more than wear the aforementioned buttons; there were to be "no demonstrations" and "no handbilling during the breakfast." Added Henning in a phone call with Mejia, "I [will] hold you and the union responsible for any disruption at all."[86] For the most part, the Mass and Breakfast went off without a hitch. Though Mahony would later recall the event with anger, his initial reaction was one of "sincere gratitude." In an initial thank you note to Henning, Mahony commented that "everything worked out very well considering the slight difficulty which was always before us."[87] Though this friendly correspondence would sour as the "difficulty" dragged on, relations between the CLI, labor, and the Church seemed relatively calm as summer turned to fall.

One month later, the NLRB announced its decision, siding with the Archdiocese and dismissing the cemetery workers' case as outside of its jurisdiction.[88] Deeming "cemetery

[80]Mahony quotes from "Archbishop Defends Worker Rights," *Tidings*, July 15, 1988, 1, ALAAC; Archdiocesan "Press Advisory," July 8, 1988, *ACTWU v. Archdiocese*, C751451, Volume IV.

[81]García, *Father Luis Olivares*, 316–42; Roger Mahony, Deposition Selections, June 28, 1990, *ACTWU v. Archdiocese*, C751451, Volume III. See *Rerum Novarum*; Lubienecki, "The American Catholic Diocesan Labor Schools, 48–87, 158–98.

[82]NLRB Case, 21-RC-18255, Brief of Employer, 1988, 10, *ACTWU v. Archdiocese*, C751451, Volume I; Archdiocese "Press Advisory," July 8, 1988, *ACTWU v. Archdiocese*, C751451, Volume IV.

[83]Rev. Jos. V. Kearney, "Christian Social Doctrine in Action," *The Evangelist*, Spring 1949, folder 2, box 2ov, series 3, CLIC; *The Mediator*, Volumes 1–2, 1949–1950, folder 7, box 1, CLIC; Various photographs of the Labor Day Breakfast, 1950s, box 1ov, series 2, CLIC.

[84]List: "1989 Officials of the Catholic Labor Institute of Southern California," 1989, folder 4, box 1, CLIC; Cheryl Maddow Dowden, interview by author, Feb. 9, 2017.

[85]Sickler interview.

[86]Henning, Notes from call with Mejia, 1988, folder 4, box 1, CLIC.

[87]Mahony to Henning, Sept. 13, 1988, folder 4, box 1, CLIC.

[88]Weinstein, "Gravediggers' Union Bid Stalled," *Los Angeles Times*, Oct. 5, 1988, 27.

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operations [as] integral to the Catholic Church's religious mission and rituals," Regional Director Victoria E. Aguayo classified cemetery workers as religious employees.[89] In this determination, Aguayo extended the 1979 Supreme Court ruling that held that Catholic school teachers—regardless of whether they taught religious or secular content—were unprotected by the National Labor Relations Act.[90] ACTWU expected such a decision. Unphased and undeterred, Mejia promptly sent a letter to the archbishop, requesting a secret ballot election nonetheless.[91] "I want these workers to have an opportunity to vote," she insisted.[92] Mahony agreed, emphasizing his support for workers' choice in the matter. An election, to be overseen by the state's Mediation and Conciliation Service, was thus tentatively scheduled for mid-January 1989.[93]

With an election date set, ACTWU's organizing team, led by Mejia and Vásquez, who were joined by two younger organizers, Berta Silva and David Werlin (both of whom were assigned to the campaign because they could speak Spanish), got to work.[94] "This was worker-led, [so] we would just . . . go around and try and keep them connected," remembered Werlin.[95] At the same time, the Archdiocese made moves to undermine workers' support of the union. Mahony reportedly raised workers' wages and "fired a supervisor who . . . mistreated workers." He brought on a notorious union-buster and labor lawyer, Carlos Restrepo, who repeated standard anti-union messaging about unions as corrupt, third-party meddlers and often told workers that a vote for the union was a "vote against God."[96] The Archdiocese also stalled, with officials announcing that they would delay the vote by a month (to February 8, 1989) because of reports of "misconduct by Union organizers including threats, vandalism and trespassing by Union supporters."[97] Many workers, resolute in their support for the union, bristled at this delay. Said Juan Treviño at Resurrection Cemetery in Monterey Park (a suburb in east Los Angeles County), "as good Christians, we trust the word of . . . Mahony, but with these kinds of action, we see that he is only trying to deceive us."[98]

Tensions between Mahony and labor officials continued to grow as the election approached. Just one day before the vote, Mahony wrote Henning at the CLI to end his involvement with the Labor Day Breakfast. "I have been shocked and scandalized," he noted, "by the tactics of the ACTWU labor organization." In the letter, he cited the prior year's button-wearing action (calling it "unacceptable" and anti-Catholic) and, in a bit of not-so-subtle race-baiting, accused union members of affiliating with gangs. Mahony also threatened to investigate the CLI itself for its links to ACTWU.[99] Mejia, for her part, later "vociferously denied the contention about intimidation and said the archdiocese had presented no formal charges to the union."[100]

[89]NLRB Decision and Order, Oct. 3, 1988, 12, *ACTWU v. Archdiocese*, C751451, Volume II.

[90]*NLRB v. Catholic Bishop of Chicago*, 440 U.S. 490.

[91]Weinstein, "Gravediggers' Union Bid Stalled."

[92]Weinstein and Becklund, "Archbishop is Asked to Let Catholic Cemetery Workers Vote on Union."

[93]Reynoso, "*Sepultureros votarán sobre posible afiliación sindical*," *La Opinión,* Nov. 7, 1988, 2; Mejia to Monsignor Stephen E. Blaire, Nov. 16, 1988 and Dec. 22, 1988, *ACTWU v. Archdiocese*, C751451, Volume II.

[94]Correspondence between James Walraven and Frank Nichols, June 12–14, 1989, folder 45, box 6, Sheinkman Files; Werlin interview.

[95]Werlin interview.

[96]Clipping: Henry Weinstein, "Archdiocese Labor Policies Assailed," *Los Angeles Times*, Mar. 17, 1989, folder 3, box 1, CLIC; Werlin interview; Sickler interview; Medrano interview.

[97]Cristina Vásquez, Meeting Notes, Nov. 3, 1988, in *ACTWU v. Archdiocese*, C751451, Volume IV; Archdiocesan Press Release, Dec. 12, 1988, *ACTWU v. Archdiocese*, C751451, Volume IV; "Union Vote Delayed," *Los Angeles Times*, Dec. 13, 1988, 77; "Declaration of Bishop Stephen Blaire in Opposition to Plaintiff's Motion for Summary Adjudication of Issues," June 7, 1991, *ACTWU v. Archdiocese*, C751451, Volume III.

[98]Reynoso, "*Sepultureros acusan a arquidiócesis de dilación en votación sindical*," *La Opinión,* Dec. 13, 1988, 2.

[99]Mahony to Henning, Feb. 7, 1989, folder 4, box 1, CLIC.

[100]Clipping: Weinstein, "Archdiocese Labor Policies Assailed," *Los Angeles Times*, Mar. 17, 1989, folder 3, box 1, CLIC.

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In this acrimonious environment, cemetery workers went to the polls. On February 8, at ten cemeteries, workers voted during their lunch breaks; ballots were counted later at a centrally located "church facility agreed upon by both partners."[101] The results tilted narrowly in ACTWU's favor, with 66 voting for union representation and 62 against. Mahony, however, refused to recognize these results, citing his earlier allegations of possible "gang connections."[102] Demanding review of the election results, Mahony triggered a clause in the election agreement that would bring the dispute before a neutral arbitrator. In this case, a three-member review panel—with one member chosen by the union (Dave Sickler), another by the Archdiocese (Ralph Kennedy), and a third "neutral" member (Fred Alvarez)—was convened.[103]

With this additional delay, the cemetery workers' campaign began to capture a broader audience in labor, progressive, and Catholic circles in Los Angeles and the nation. Warned Harry Weinstein, a labor writer for the *Los Angeles Times*, this "small organizing battle could escalate into a much broader dispute, which could rupture relations between the archdiocese and organized labor."[104] Even the *National Catholic Reporter* carried news of the dispute, describing it as "a long and acrimonious campaign in which Mahony, previously viewed as pro-labor, was repeatedly criticized for opposing the effort."[105] Notably, media coverage, which portrayed the battle as a proxy for strained Catholic-labor relations nationally, often took a paternalistic view of the workers themselves, casting them as an unnamed mass of victims in need of salvation by either Church leaders or labor organizers.

The archbishop also took a paternalistic tone in his opposition to the union, casting himself as the defender of his immigrant employees against "hostile, strident and confrontational" ACTWU campaign. On April 7, he took his views to the pages of *Tidings*, laying out steps he would take to improve working conditions within the Archdiocese. Acknowledging the significant rise in the number of lay, or non-religious, employees in the Church locally and nationwide (from housekeepers to teachers), Mahony announced new employee initiatives, such as a personnel handbook and the establishment of "Employee Councils."[106]

As Mahony publicly affirmed "our duty to help provide justice for all Church employees," he continued to racialize pro-union workers like Juan Treviño at Resurrection, José Aranda at Calvary, and Zacarias Gonzalez, also at Calvary, as criminal outsiders. The day after publishing his *Tidings* piece, the archbishop authorized the firing of these three "for conduct that is inconsistent with the work and mission of the sacred ministry of Catholic cemeteries," which included reportedly "threatening or intimidating . . . other workers." Said Gonzalez, age 61, "I have done nothing wrong. I've been working there so many years."[107] Two days later, he joined ACTWU and his colleagues in a protest at the chancery office, chanting "*queremos un contrato ahora*!" ("We want a contract now!").[108]

[101]Archdiocesan Press Release, Jan. 4, 1989, in *ACTWU v. Archdiocese*, C751451, Volume IV; Mejia, Meeting Notes, Nov. to Dec. 1988, in *ACTWU v. Archdiocese*, C751451, Volume IV.

[102]Mejia to Mahony, Feb. 28, 1989, in *ACTWU v. Archdiocese*, C751451, Volume II; Msgr. Blaire to Mejia, Mar. 3, 1989, in *ACTWU v. Archdiocese*, C751451, Volume III.

[103]Archdiocesan Press Release, Feb. 17, 1989, *ACTWU v. Archdiocese*, C751451, Volume IV; "Archdiocese, Union Agree on 3rd Party," *Tidings,* Mar. 31, 1989, 3, ALAAC.

[104]Clipping: Weinstein, "Archdiocese Labor Policies Assailed."

[105]Clipping: Ira Rifkin, "Labor leaders rebuke LA's Mahony," *National Catholic Reporter*, Mar. 31, 1989, folder 5, box 1, CLIC.

[106]Archbishop Roger Mahony, "Commitment of the Archdiocese to Our Employees," *Tidings*, Apr. 7, 1989, 4, ALAAC.

[107]Weinstein, "Archdiocese Fires 3 Active in Organizing Gravediggers," *Los Angeles Times*, Apr. 8, 1989; Bill Yankes, "*Tres empleados de cementerios católicos fueron despedidos por la Arquidiócesis en últimos días*," *La Opinión*, Apr. 8, 1989, 6.

[108]Yankes, "*Sepultureros protestan el despido de sus líderes*," *La Opinión,* Apr. 12, 1989, 2.

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Over the next few months, the cemetery workers' demands remained unmet. Two workers reportedly traveled to the Vatican to plead their case.[109] Mahony briefly threw his support behind an anti-union state bill, to the dismay of organized labor in the city and beyond.[110] Meanwhile, the three members of the independent review panel held public hearings and met intermittently to review the disputed election results and allegations of "gang activity" and harassment.[111]

At Catholic cemeteries across southern California, hopeful union members continued to work, never going so far as to strike. In the broader national context of tense strikes (especially at Catholic cemeteries), ACTWU organizers approached the idea of a walkout with extreme trepidation. "There was a lot of talk and . . . concern" about taking such a step, recalled Werlin. The president of BSEIU Local 265 (representing cemetery workers in the Bay Area), José Valdez, even visited Archdiocesan workers to offer support and discuss potential strike tactics.[112] Even so, ACTWU decided against a strike, worried of its impact on "public image."[113] Instead, workers and organizers waited, hoping for a positive decision from the arbitration panel.

That decision finally came in November.[114] Though the panel's report acknowledged instances of "crude language and behavior" among some pro-union workers, its members argued that such behavior "did not materially affect the results of the election."[115] The panel upheld ACTWU's victory, deeming it the bargaining agent for cemetery workers. Organizers began preparing for contract negotiations, hopeful that this third-party decision would offer a "new slate."[116] In a letter to Mahony, Mejia acknowledged that "certainly this has been a very difficult time for all of us . . . I believe it is important for us now to move together."[117]

But as had become standard in this "acrimonious struggle," the Archdiocese reacted with indignation and inconsistent messaging. While one representative, Monsignor Stephen E. Blaire, assured the press that he and others would begin contract negotiations with ACTWU, the archbishop announced he would "refuse to meet with them (union representatives) because I simply cannot accept their conduct."[118] In a nine-minute, pre-taped bilingual address played at every Archdiocesan cemetery, Mahony argued that a "recent anonymous poll" showed that most workers actually rejected ACTWU and reminded his audience that they were under no obligation to pay union dues.[119] As cemetery officials visited each cemetery to play Mahony's message, they also collected workers' signatures on petitions denouncing the panel's decision. Letters from workers at Holy Cross, Calvary, Queen of Heaven, All Souls, and Resurrection cemeteries, for example, all used the same language, thanking Mahony for "defending our rights," describing news of the panel's decision as "strange," and arguing that they no longer wanted union representation.[120]

[109]Meyerson, "The Other L.A. Gets Organized," 12.

[110]Archbishop Mahony to Mark McIntire, Apr. 12, 1989, folder 5, box 1, CLIC; Clipping: Bill Kenkelen, "Mahony digs himself deeper into labor rift," *National Catholic Reporter*, June 2, 1989 folder 3, box 1, CLIC.

[111]Archdiocesan Press Release, Apr. 5, 1989, in *ACTWU v. Archdiocese*, C751451, Volume IV; Election Committee Hearings, Transcript, Apr. 24, 1989, in *ACTWU v. Archdiocese*, C751451, Volume III; "Stipulated Statement of Facts & Order," May 24, 1991, 4, in *ACTWU v. Archdiocese*, C751451, Volume II; Sickler interview.

[112]Martin interview; "Delayed burials to begin," *The San Francisco Examiner*, July 25, 1988, A-12.

[113]Werlin interview.

[114]"Archdiocese Dismayed by Ruling on Union," *Los Angeles Times*, Nov. 23, 1989.

[115]"Panel Sustains Election for Cemetery Workers," *Tidings*, Nov. 24, 1989, 5, ALAAC.

[116]Ines Pito Alicea, "Union Wins Election," *Tidings*, Dec. 1, 1989, 4, ALAAC; Bill Kenkelen, "Los Angeles archdiocese cemetery workers win again," *National Catholic Reporter*, Dec. 8, 1989, 3.

[117]Mejia to Mahony, Nov. 22, 1989, in *ACTWU v. Archdiocese*, C751451, Volume II.

[118]"Archdiocese Dismayed by Ruling on Union," *Los Angeles Times*, Nov. 23, 1989; "Panel Sustains Election for Cemetery Workers," *Tidings*, Nov. 24, 1989, 5, ALAAC.

[119]"Panel Sustains Election for Cemetery Workers," 5.

[120]Worker petitions, Nov. – Dec., 1989, *ACTWU v. Archdiocese*, C751451, Volume II.

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With this, the archbishop launched a counternarrative that simultaneously questioned the authority of the independent panel and cast himself as a protector of workers who "want nothing to do with the union."[121] In particular, he interpreted employees' petitions as indisputable evidence of their rejection of ACTWU's representation. On December 4, 1989, he wrote Mejia to inform her that "many of our Catholic cemetery workers are now expressing to me both verbally and in writing their resistance to any participation in your labor union," adding that his "primary concern is for the welfare of our employees and their families."[122]

Over a month later—on the eve of the expiration of the first election's results—the Archdiocese informed ACTWU that they were calling for a new vote.[123] Mejia was furious, deeming the much-cited worker petitions fraudulent and threatening to take the Church to court.[124] A few days later, in support of the archbishop's decision to hold a second election, nearly fifty cemetery workers marched outside of the chancery office, hoisting signs that read "We Support the Archbishop." Said one worker, Abel Hidalgo from Holy Cross in Culver City, the archbishop had provided better wages, benefits, and working conditions for cemetery workers, alleviating any need for a union. "I feel that we have a voice with the Archbishop. We have been working with him for one and a half years and he listens to us when it is necessary," noted Hidalgo.[125] Such comments, bolstered by the physical presence of pro-Mahony pickets, underscore not only the divisive nature of ACTWU's campaign but also the Archdiocese's ability to capitalize on a close, spiritual relationship with its Catholic workers, as well as the year-long delay in negotiations.

Mejia and ACTWU organizers, for their part, swiftly filed suit against the Archdiocese and Mahony for breach of contract, arguing that they had been legally bound to bargain for a year after the Election Committee's decision.[126] At a press conference announcing the suit, Sickler noted he was "absolutely outraged" by Mahony's behavior. Even so, the Archdiocese proceeded with its own hastily-called election, which left little time for ACTWU organizers to prepare.[127] On February 9, 1990 (one year and a day after the first election), workers voted 92-24 to reject the union as their representative. "The vote means cemetery workers wish to continue to work directly with Archbishop Roger Mahony," affirmed *Tidings*.[128]

With these results, this bitter fight moved to a new, albeit final, phase, which played out in Los Angeles' Superior Court for another year and a half.[129] ACTWU not only pursued its publicly-announced breach of contract case, it also sought damages on behalf of the three workers fired in 1989, Treviño, Aranda, and Gonzalez. This was a costly endeavor for the union, which admittedly did not have the funds to cover the "tremendous amount of legal expenses" incurred.[130] Mejia worried constantly about legal bills, writing ACTWU President Jacob

[121]Alicea, "Union Wins Election"; "Archbishop Mahony Objects to a Column on Union Organizing of Cemetery Workers," *Los Angeles Times*, Jan. 28, 1990, D3.

[122]Mahony to Mejia, Dec. 4, 1989, *ACTWU v. Archdiocese*, C751451, Volume I; "New Election Set for Workers," *Tidings*, Feb. 2, 1990, 5, ALAAC.

[123]Mahony to Cemetery Workers, Jan. 29, 1990, *ACTWU v. Archdiocese*, C751451, Volume IV; Press Release, "L.A. Archdiocese Schedules New Election to Settle Catholic Cemetery Workers' Union Issue," Jan. 29, 1990, in *ACTWU v. Archdiocese*, C751451, Volume II; "New Election Set for Workers," *Tidings*, Feb. 2, 1990, 1, 5, ALAAC.

[124]Archdiocese of Los Angeles, "Minutes of Meeting with Union," Jan. 29, 1990, *ACTWU v. Archdiocese*, C751451, Volume II.

[125]"Workers Want New Vote," *Tidings*, Feb. 2, 1990, 2, ALAAC.

[126]Counsel for Plaintiff, "Complaint for Injunctive Relief and Damages," Feb. 5, 1990, *ACTWU v. Archdiocese*, C751451, Volume I; Henry Muñoz, "*Sepultureros acusan a Mahony de violar contrato*," *La Opinión*, Feb. 7, 1990, 4; Bob Baker, "Mahony Sued by Union After He Quits Bargaining on Gravediggers," *Los Angeles Times*, Feb. 7, 1990.

[127]"Election Set in Union Dispute," *Tidings*, Feb. 9, 1990, 2, ALAAC.

[128]"Workers Reject Union," *Tidings*, Feb. 16, 1990, 2, ALAAC.

[129]See *ACTWU v. Archdiocese*, C751451, Volumes I-IV.

[130]Mejia to Sheinkman, May 2, 1991, folder 22, box 143, Sheinkman Files.

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Sheinkman that the situation was "becoming extremely embarrassing."[131] To expedite the process, the union eventually agreed to out-of-court settlements in both cases. In March 1991, ACTWU secured backpay for the fired employees—though none of them would be able to return to work for the Archdiocese. As part of this agreement, ACTWU and the Archdiocese also began discussing joint programs on behalf of workers, ranging from drug education to English courses, and possible steps towards another election.[132]

The breach of contract suit still needed to be settled, and negotiations stretched on into the summer of 1991, during which time Mejia's correspondence took on an increasingly pessimistic tone. Given the legal costs incurred over the course of this campaign and because of Mahony's "volatility," she wrote Sheinkman: "I have been thinking about turning this to another union if we can get the Archdiocese to agree to immediate recognition and bargaining, for the best interest of the Union and the workers . . . "[133]

In the end, the Archdiocese did not agree to recognition, but ACTWU got one last shot at a fair election. As part of a final settlement, Superior Court Judge Victor E. Chavez ordered a third, and final, vote for October 22, 1991.[134] "The most optimistic thing union official Barbara Mejia will say," reported the *Los Angeles Times*, "is that the union has a 50-50 chance."[135] Mahony—now Cardinal—was much more optimistic. In a recorded speech played at each cemetery, he promised that although union organizers might harass workers again, he would protect them.[136] As a show of his unwavering defense of his workers, Mahony hosted cemetery workers and their families at a picnic at Cantwell Sacred Heart High School. "At the time the Holy Father appointed me Cardinal," affirmed Mahony, "he said that as he did so the honor was not just for me but for all of you, especially those of you so directly involved with me through your apostolic work and ministry." Affirming not only workers' religious duties but also their special place in his flock, the cardinal continued to argue that a union would only interfere with this sacred employer-employee relationship.[137]

On the other side of the campaign, ACTWU—drained of funding and resources after years of organizing and legal battles—turned to the AFL-CIO for support. Sickler called in more Spanish-speaking organizers, among them Ernesto Medrano, to conduct house visits and on-site organizing in the weeks leading up to the October 1991 election.[138] Yet, as was largely expected, the union lost this third bid—by a vote of 92 against the union and 43 for it.[139] For Mahony, this was an emphatic statement of workers' wish to "continue their collaborative effort" with the Archdiocese.[140] Mejia and others accepted the results with sadness, noting that it was never a fair fight, given the cardinal's "unfair tactics," delays, and privileged access to these workers, as well as the union's own limited resources.[141] Reflecting on the campaign, Mejia penned thank you

[131]Mejia to Sheinkman, Aug. 20, 1991, folder 22, box 143, Sheinkman Files.

[132]Mejia & Ron Rosenberg to Jacob Sheinkman, Jan. 9, 1991, folder 22, box 143, Sheinkman Files; "Mahony, Union Settle Suit Over Cemetery Findings," *Los Angeles Times*, Mar. 26, 1991.

[133]Mejia to Jack Sheinkman, May 2, 1991, folder 22, box 143, Sheinkman Files.

[134]"Stipulation and Order Thereon; Order of Dismissal," Sept. 3, 1991, in *ACTWU v. Archdiocese*, C751451, Volume IV.

[135]Baker, "Grave Dispute."

[136]R.W. Dellinger, "New Cemetery Workers Election Scheduled," *Tidings*, Sept. 6, 1991, 4, ALAAC.

[137]Rick Goul, "Cardinal Mahony Meets Cemetery Workers, Their Families," *Tidings*, Oct. 4, 1991, 3, ALAAC; "*Respaldo al cardenal Mahony*," *La Opinión*, Oct. 19, 1991, 6.

[138]Sickler interview; Medrano interview.

[139]Francisco Robles, "*Sepultureros católicos rechazan la sindicalización*," *La Opinión,* Oct. 23, 1991, 3A, 4A.

[140]Archdiocesan Press Release, Feb. 9, 1990, in *ACTWU v. Archdiocese*, C751451, Volume IV; "Catholic Cemetery Workers Reject Union Representation," *Tidings*, Oct. 25, 1991, 1, ALAAC.

[141]Clipping: Bob Baker, "Cemetery Workers Reject Union by Vote of 43 to 92," *Los Angeles Times*, Oct. 23, 1991, folder 22, box 143, Sheinkman Files; Baker, "Grave Dispute."

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notes to union leaders and volunteer organizers, acknowledging their "efforts in uniting the labor community in Los Angeles . . . behind the Catholic Cemetery Workers."[142]

Challenges & Opportunities: Catholic Work & Labor's Future

In spite of its disappointing conclusion, the cemetery workers' campaign made a distinctive imprint on the city's labor movement. From the earliest days of chancery office picket lines, labor allies viewed the gravediggers' struggle as righteous, "brilliant," and "courageous," often using language that bordered on dismissive paternalism.[143] For labor activists, this was an inspiring story of hot-shop, David-and-Goliath organizing outside of union strongholds. Cemetery workers thus joined SEIU's Justice for Janitors campaign, ILGWU's organizing efforts in small garment and manufacturing shops, and immigrant drywallers' bottom-up drives in the early 1990s to offer resounding challenges to the belief among some in labor that low-wage, immigrant workers were unorganizable.[144] Thanks to strong community networks, union and worker determination, and creative organizing strategies, as sociologist Héctor L. Delgado argued in 1993, such campaigns offered hope for a labor movement that was "on the ropes, bruised and fighting back sporadically."[145]

Yet even if cemetery workers could be mostly organized, a union contract remained out of reach. This shortfall is instructive, illuminating not only the practical challenges of unionizing in the cemetery industry but also broader shifts in the demographics, conditions, and organizability of Catholic workplaces in this period.

Practically speaking, budgetary and logistical organizing challenges proved insurmountable for ACTWU in the cemetery campaign. First, the union's constant financial troubles made it difficult to navigate a geographically divided bargaining unit (an Archdiocesan cemetery system stretching across three counties) and to push back against the cardinal's repeated and successful tactics to delay elections. ACTWU's lack of experience in organizing cemetery workers and local organizers' decision to avoid a strike may have also handicapped their efforts.

The religious nature of Catholic cemetery work additionally presented unique practical and legal challenges to organizing efforts. The union, argued Cardinal Mahony, "simply miscalculated . . . the factor that Faith plays in" this line of work—and in workers' relationship with their employer and spiritual leader.[146] Mahony was not wrong. Indeed, many cemetery workers, whether toiling at Catholic or secular institutions, framed their work in this way: as a satisfying, meaningful, if underpaid, vocation.[147] Mahony's close communication with these workers emphasized this understanding of their labors as essential to the pastoral "mission of the church."[148] Though labor advocates saw this as a manipulation of workers' spirituality—using it "against their general welfare"—the cardinal spoke to the tenets of service and faith that animated so many cemetery workers.[149]

These entanglements of work, faith, and mission also shaped legal interpretations of (and obstacles to) workers' rights to organize and collectively bargain in religious work settings. Since the Supreme Court's 5-4 decision in *NLRB v. Catholic Bishop of Chicago et al.* (1979), employees at religious institutions found themselves outside of the bounds of national labor law. In this

[142]Mejia to Pritchett and Sickler, Oct. 28, 1991, folder 22, box 143, Sheinkman Files.

[143]Meyerson, "The Other L.A. Gets Organized," 12; Werlin interview.

[144]Milkman and Wong, "Organizing Immigrant Workers," 99–128; Victor Narro, "Immigrant Worker Organizing," 54–6; Héctor L. Delgado, *New Immigrants, Old Unions: Organizing Undocumented Workers in Los Angeles* (Philadelphia, 1993).

[145]Delgado, *New Immigrants, Old Unions*, 7.

[146]Cardinal Mahony to Bill Robertson, Feb. 8, 1992, folder 22, box 143, Sheinkman Files.

[147]Clipping: "Life is good to a grave digger," Nov. 1, 1971, folder 55, box 8, SEIU Local 1 Records.

[148]Baker, "Grave Dispute," B2.

[149]Ibid., B1.

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precedent-setting case, teachers at seven Catholic high schools in the Chicago and Fort Wayne-South Bend (Indiana) dioceses had filed for representation elections—and won. The schools challenged the NLRB's decisions and their appeal made its way to the Supreme Court, which ruled that the Board never had authority over religious employees, thus sidestepping "thorny First Amendment questions of free exercise of religion and separation of church and state," as legal scholars David L. Gregory and Charles J. Russo later wrote.[150] In 1988, the Archdiocese of Los Angeles relied on this precedent to avoid federal intervention in the cemetery workers' case.[151] Without NLRB jurisdiction, ACTWU thus relied on California's state mediation services and had little recourse to challenge the Archdiocese's unfair labor practices (chief among them captive-audience meetings and dismissals of employees active in the union).

Despite the limitations created by the NLRB's rulings, organizing efforts at religious—particularly Catholic—institutions were actually on the rise in the 1970s, 1980s, and 1990s. In this period, Church-run cemeteries like those in Los Angeles, hospitals, and schools became laboratories of labor organizing, exposing growing fractures between labor and Catholic leaders and, as well, offering new opportunities for building labor power and forging progressive alliances at close of the twentieth century.

Much of this shift stemmed from the overall decline in the population of clergy and religious women. By one estimate, in 1970, "4.6 percent of priests aged 29-34 were resigning *annually*." Thousands of religious women were similarly leaving their orders, with the number of women religious dropping by 48.8 percent between 1964 and 1989.[152] This exodus left archdiocesan and parish officials—and in particular, parochial schools—with few options but to hire lay workers to fill the gap. "Some 25 years ago," acknowledged Mahony in a 1989 statement about cemetery workers' campaign, "almost 85 percent of those in full-time work for the Church were Religious men or women, or priests. Many of our lay employees were part-time, and vast numbers were volunteers. Today, the opposite is true. Almost 85 percent of the Church's employees are lay men and women, with only 15 percent Religious or priests."[153] With this reversal, the role of the Church as *boss* was under new scrutiny.

Lay employees contested the Church's employment practices and pay structures—and organized labor saw great opportunity in this growing labor market. Indeed, in 1973, one study found that 25 dioceses (out of 145) in the United States "reported the existence of unions" at Catholic parochial schools.[154] Many employees began organizing in the context of post-Vatican II challenges to traditional Catholic hierarchies, which opened the way for lay initiative and activist clergy.[155] Union-inclined employees also challenged austerity measures adopted by many urban (and rural) parishes as communicants moved to suburbs, leaving pews and collection baskets equally empty.[156] In this context, lay teachers and healthcare workers at Catholic hospitals, in particular, sought better pay and greater autonomy over their work and launched a veritable wave of organizing in these sectors by the century's end. In 1999, for

[150]*NLRB v. Catholic Bishop*, 440 U.S. 490; David L. Gregory and Charles J. Russo, "Overcoming *NLRB v. Yeshiva University* by the Implementation of Catholic Labor Theory," *Labor Law Journal* 41, no. 1 (Jan. 1990): 63.

[151]NLRB Decision and Order, Oct. 3, 1988, 12, *ACTWU v. Archdiocese*, C751451, Volume II.

[152]McGreevy, *Parish Boundaries*, 246; Margaret M. McGuinness, *Called to Serve: A History of Nuns in America* (New York, 2013), 84.

[153]Archbishop Mahony, "Commitment of the Archdiocese to Our Employees," *Tidings*, Apr. 7, 1989, ALAAC.

[154]Charles J. Russo & David L. Gregory, "An Update on Collective Bargaining in Catholic Schools," *School Business Affairs* (Apr. 1999): 15.

[155]McGreevy, *Parish Boundaries*, 215–19.

[156]On urban and rural parishes' financial challenges, see also McGreevy, *Parish Boundaries*, 234–40 and Kristy Nabhan-Warren, *Meatpacking America: How Migration, Work, and Faith Unite and Divide the Heartland* (Chapel Hill, NC, 2021), 19–26.

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example, union votes were scheduled at nearly a dozen Catholic-run hospitals from Florida to California.[157]

These organizing campaigns often became "nasty battle[s] of wills" between Catholic leadership and organized labor.[158] "Clearly," noted one study, "Church leaders neither want to, nor should they have to, relinquish either their essential beliefs or fundamental managerial rights through collective bargaining."[159] Added Sister Barbara Pfarr with the Religious' Employers' Project of the National Interfaith Committee for Worker Justice, "This has been a black eye in the Catholic church for decades . . . For all of our social teachings, we are terrible employers."[160]

Archdiocesan cemetery workers in Los Angeles thus joined what Sr. Pfarr called "a long history of terrible tension between religious employers and organized labor."[161] The tensions born of the cemetery workers' campaign sowed deep divisions and resentments between Los Angeles's labor movement and the Archdiocese, with the closure of the storied CLI as collateral damage. Yet given both labor and the Church's close ties with working-class Latino immigrants, these divisions proved reparable. As SEIU Vice President Eliseo Medina later noted, "the people that we see at work during the week, they [church leaders] see on Sunday." By the late 1990s, labor leaders and Cardinal Mahony thus worked to put "behind us the issue of the cemetery workers and the divisions that that had created," recalled Medina.[162] The key terrain for tentative collaboration and goodwill was immigrant rights, with Mahony publicly marching alongside labor leaders and openly defying immigration laws.[163]

By the early 2000s, gone was the CLI's Labor Day Breakfast, the site of many years of conviviality (as well as moments of silent, button-clad protest). In its stead emerged exuberant, interracial, coalition-backed May Day marches, as seen most pointedly in 2006 when nearly one million Angelenos—with labor, clergy, and other allies among them—turned out to demand legalization and protest draconian anti-immigrant laws.[164] This shift highlights important transformations in labor and social movement history, key among them the rise of immigrant-led unions, new opportunities for organizing lay Church workers, and remade and revitalized labor and interfaith coalitions. As historical scholarship on this period grows, we would do well to consider seriously these developments and their implications for labor, faith politics, and the culture wars in the United States.

Afterlives: Cemetery Work in the Twenty-First Century

Amid these transformations, there were still graves to dig and grounds to maintain, from urban Archdiocesan cemeteries to the rolling memorial gardens of American suburbs. These spaces, too, evolved as large corporations bought up cemeteries across the globe, expanding their portfolios, corporatizing operations, and earning fantastic profits. Most prominent among these has been Service Corporation International (SCI), which began acquiring funeral parlors in the 1960s and incorporated as a global corporation in 1984.[165] SCI has since assiduously acquired funeral homes, cemeteries, florists and other related businesses in the United States and abroad,

[157]Nancy Cleeland and Margaret Ramirez, "Catholics Split Over Union's Hospital Drive," *Los Angeles Times*, July 17, 1999, A16.

[158]Pamela Schaeffer, "Shared values clash in hospital-labor war," *National Catholic Reporter*, Sept. 4, 1998, 34.

[159]Russo and Gregory, "An Update on Collective Bargaining," 18.

[160]Schaeffer, "Shared values clash in hospital-labor war."

[161]Ibid.

[162]Medina, interview by author, May 16, 2023.

[163]Randy Shaw, "Building the Labor-Clergy-Immigrant Alliance," in Kim Voss and Irene Bloemraad, eds., *Rallying for Immigrant Rights: The Fight for Inclusion in 21st Century America (*Berkeley, 2011).

[164]Shaw, "Building the Labor-Clergy-Immigrant Alliance."

[165]Sloane, *The Last Great Necessity,* 235–36.

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often geographically clustered together. "It's the Wal-Mart of the cemetery business," noted one union organizer.[166]

As a shadow owner of many thousands of funeral operations—and thanks to the rise in "pre-need" sales—SCI was able to bring in $1.5 billion in revenue in 1995.[167] By 2019, SCI earned nearly a quarter of all funeral profits in the United States; that year, the company's revenue exceeded $3 billion annually.[168] In southern California, SCI has amassed properties under the Dignity Memorial brand, which includes the 1,400 acre Rose Hills Memorial Park in Whittier, billed as one of the largest cemeteries in the world. The corporation has also partnered with denominational cemeteries, such as those within the Archdiocese of Los Angeles, to offer on-site mortuary services.[169]

While work at most of these SCI-run cemeteries has been divided out to myriad subcontractors, one local union in California has continued to fight for union recognition and contracts. In 2007, SEIU Local 265—which got its start in San Francisco and once sent its president, José Valdez, to help ACTWU's campaign—won statewide jurisdiction over cemeteries, greens, and golf courses.[170] John Martin, an organizer who came out of retirement after this victory, began driving up and down the state in a beat-up Honda Civic, distributing authorization cards and meeting with cemetery employees from Fresno to San Diego. In this work, Martin also dreamt of trying his hand at Los Angeles' non-union cemeteries, especially those owned by the Archdiocese. In one major victory, Local 265 won an election at the Rose Hills in 2017, with 35 votes for the union and 23 against.[171] For the next four years, however, Rose Hills management engaged in all manner of anti-union activities to delay bargaining, and Local 265 filed a bevy of NLRB complaints.[172] For all intents and purposes, Rose Hills—like its Archdiocesan counterparts—remains union-free.

John Martin, who retired once again from organizing during the COVID-19 pandemic, laments this outcome, arguing that southern California's cemeteries remain prime but difficult terrain for unionization.[173] Their employees, deemed essential workers, "last responders," and "quiet witness[es]" to the pandemic's ravages, seek—like many before them—"to be treated with the same dignity and respect that we give to the families we serve."[174]

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[166]Josh McGahan, "Gravediggers at L.A.'s Biggest Cemetery Unionized on Friday the 13th," *L.A. Weekly*, Oct. 14, 2017, https://www.laweekly.com/gravediggers-at-l-a-s-biggest-cemetery-unionized-on-friday-the-13th/ (accessed Mar. 3, 2024).

[167]Mitford, *The American Way of Death Revisited*, 188–192.

[168]Tanya D. Marsh, "Regulated to Death: Occupational Licensing and the Demise of the U.S. Funeral Industry," *Wake Forest Journal of Law & Policy* 8, no. 1 (2018): 12–13; Christopher Helman, "How the Pandemic is Killing the Death Business," *Forbes*, Apr. 21, 2020, https://www.forbes.com/sites/christopherhelman/2020/04/21/how-the-pandemic-is-killing-the-death-business/?sh=6cadc7f86c64 (accessed May 3, 2023).

[169]Robin Fields, "Archdiocese's Mortuary Deal Raises Eyebrows," *Los Angeles Times*, Nov. 13, 1999, https://www.latimes.com/archives/la-xpm-1999-nov-13-mn-33056-story.html (accessed May 2, 2023).

[170]Martin interview.

[171]McGahan, "Gravediggers at L.A.'s Biggest Cemetery Unionized"; NLRB, *RH Cemetery Corp.*, 21-RC-206360, Sept. 18, 2017 – Oct. 20, 2018, https://www.nlrb.gov/case/21-RC-206360 (accessed Mar. 3, 2024).

[172]"Rose Hills' Final Offer for Ratification," Jan. 22, 2021, http://cemeteryworkersseiu265.weebly.com/uploads/1/1/3/2/113273577/rose_hills_final_offer_for_ratification_1_21_2021.pdf (accessed Mar. 3, 2024); Martin interview.

[173]Martin interview.

[174]McGahan, "Gravediggers at L.A.'s Biggest Cemetery Unionized"; Benjamin Gottlieb, "LA's cemetery workers, with backlog of bodies, try to honor each COVID death," *KCRW.com*, Feb. 25, 2021, https://www.kcrw.com/news/shows/greater-la/funeral-homes-energy-la-miniatures/covid-deaths-los-angeles (accessed Aug. 13, 2023); Pilar Marrero, "The quiet witness of COVID's 'last responders' at LA's Catholic cemeteries," *Angelus*, Mar. 8, 2021, https://angelusnews.com/local/la-catholics/the-quiet-witness-of-covids-last-responders-at-las-catholic-cemeteries/ (accessed Aug. 13, 2023).

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