

# DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 2 OF 16

FOLDER 17

CHRYSLER ELDON UAW LOCAL  
961 CORRESPONDENCE 1972  
1 OF 2

To: UAW INTERNATIONAL UNION  
U. S. DEPT OF LABOR

DEAR SIRs AND BROTHERS:

I AM SUBMITTING TO YOU THIS LETTER OF PROTEST IN REGARDS TO THE MANNER IN WHICH YOUR OFFICES ESTABLISHED DATES AND CRITERIA FOR THE IMPROPER RUN-OFF ELECTION FOR LOCAL # 961. IN SETTING THE ELECTION FOR THE 11TH & 12TH OF JAN., 1972, WITHOUT ANY NOTIFICATION TO MYSELF, YOU HAVE GREATLY IMPAIRED MY CHANCES TO EVEN BE REASONABLY IN THESE PROCEDURES CONSTRUCTIVELY OR COMPETITIVELY. A FOUR DAY NOTICE OF ELECTION IS INEXCUSABLE AND COMPLETELY CONTRADICTORY TO THE REQUIREMENTS OF THE UAW CONSTITUTION & THE LAWS GOVERNING THESE PROCESSES. IF YOUR OBJECTIVE WAS TO DENY ME EQUITY IN MY APPEALS AND EFFORTS TO PARTICIPATE PROPER DEMOCRATIC ELECTION, YOU ARE SUCCEEDING AIMIRABLY. I AM GREATLY DISTRESSED AND DISMAYED BY THE APPARENT LACK OF CONCERN OR OBLIGATION EXHIBITED BY THOSE WHO ARE PLEDGED TO PROTECT MY RIGHTS AND PRIVILEGES GUARANTEED IN MY UNION CONSTITUTION AND LAWS OF GOVERNMENT. MY FUNDAMENTAL RIGHTS IN THESE AREAS HAVE BEEN VIOLATED AND REASONABLE RELIEF IS NOT BEING SUBSTANTIALLY FOUGHT FOR NOR GRANTED. TO FORCE ME TO GO THROUGH WITH THE ELECTION OF JAN. 12, 1972 WITH ONLY A FOUR DAY NOTICE IS IMMORAL, ARBITRARY AND IMPROPERLY UNFAIR. IT APPEARS THAT EVERYONE BUT ME IS BEING CONSIDERED IN THIS ENDEAVOR, TO RIGHT MANY OBVIOUS AND BLANTANT IRREGULARITIES.

SPECIFICALLY I AM REFERRING TO:

1. THE 4 DAY NOTICE OF THE ELECTION: (TIME, DATE, PLACE) WHICH I HAD TO PERSONALLY DEMAND ON THE 4TH OF JANUARY, 1972.
2. THE DENIAL OF ACCESS TO THE ELIGIBLE AND INELIGIBLE MEMBERSHIP VOTING LISTS:
3. THE REFUSAL OF ALL PARTIES TO DISCUSS OR DIVULGE ANY INFORMATION ON THE UNCOUNTED CHALLENGED BALLOTS THAT COULD HAVE, SHOULD HAVE AND WOULD HAVE RESOLVED THE MAY 71 ELECTION AND AVOIDED ANY FURTHER PURSUANCE OF THIS MATTER ON MY PART:
4. THE DISRUPTIVE DOMINANT INTERFERENCE IN INTERNAL UNION BUSINESS AND POLITICS BY REG. #1 DIR. AND MEMBERS OF HIS ADMINISTRATIVE STAFF:
5. THE MALICIOUS AND SUCCESSFUL EFFORT OF BRO. MC KINNON TO DENY THE MEMBERSHIP THEIR RIGHT TO CONSTITUTIONAL PARTICIPATION IN OUR ELECTION PROCEDURES AS SET FORTH IN ART. 38, SEC 10 (D)
6. THE FLAGRANT INTERFERENCE OF LOCAL PLANT MANAGEMENT IN OUR LOCAL UNION POLITICS AND ESPECIALLY IN REGARD TO THOSE MEMBERS THAT SUPPORTED ME IN THE ELECTION:
7. THE OBVIOUS EFFORTS OF THE LOCAL UNION PRES. TO DOMINATE AND DICTATE TO THE ELECTION COMMITTEE. THE ELECTION COM. HAS NOT BEEN ALLOWED TO MEET NOR FORMULATE ELECTION POLICIES, BULLETINS OR RULES:
8. THE ERRONEOUS REPORT OF THE APPEALS COM. AND THE RESULTANT DIRECTIVES TO RERUN THE RUN-OFF ELECTION WAS AND STILL IS CONTRARY TO WHAT WAS REQUESTED IN THE ORIGINAL APPEALS AND PROTESTS SUBMITTED IN ACCORDANCE WITH ART. 38, SEC. 12 BY MYSELF AND THE MEMBERSHIP:

SINCE I AM CONSTANTLY REMINDED OF MY OBLIGATION TO ADHERE TO DUE CONSTITUTIONAL PROCESSES AND EXHAUST ALL PRESCRIBED INTERNAL REMEDIES, IT WOULD APPEAR APPROPRIATE THAT ALL CONCERNED IN THIS MATTER ADOPT AND ADHERE TO THESE SAME OBLIGATIONS. IN SO HISTORICALLY DEMOCRATIC AN INSTITUTION AS OUR UAW INTL. UNION, IT IS DISILLUSIONING AND DISASTROUS TO FIND SO MANY THAT ARE SO ANXIOUS TO DISTORT AND TARNISH THIS IMAGE FOR THEIR OWN PERSONAL VANITY OR VINDICTIVENESS. I CAN AND DO ASK THAT THOSE OF YOU THAT RECEIVE THIS LETTER OF PROTEST AND APPEAL TO CONSIDER THE RAMIFICATIONS OF INTENTIONAL MISHANDLING AND WHITE-WASHING OF THIS ELDON AVENUE AXLE SITUATION ON THE REPUTATION AND RECORD OF OUR INTNL. UNION. ADMITTEDLY, YOU MAY BEAT ME AND MY LOCAL UNION DOWN BUT WE ALL WILL KNOW THAT MUCH IS LACKING AND THAT OUR UNION IS NOT AS GREAT FOR THE LITTLE PEOPLE AS IT COULD HAVE BEEN AND SHOULD HAVE BEEN.

RESPECTFULLY SUBMITTED FOR YOUR REACTION AND REPLY,

JORDON U. SIMS, MEMBER



TO: U.A.W. INTERNATIONAL UNION  
U.S. DEPT. OF LABOR

cc: Adelman, Glotta & Sings ✓  
cc: Region #1  
cc: Chrysler Dept.  
cc: Local #961

Dear Sirs and Brothers;

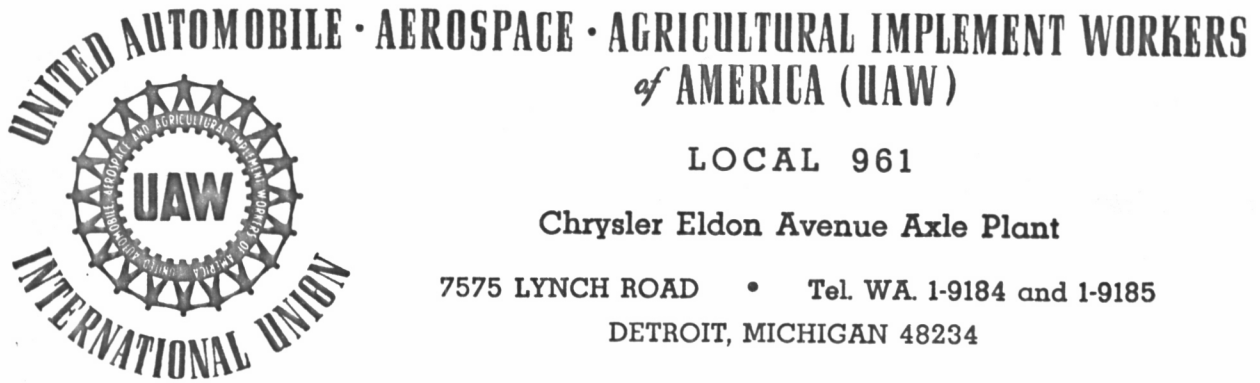
I am submitting to you this letter of protest in regards to the manner in which your offices established dates and criteria for the improper run-off election for Local #961. In setting the election for the 11th & 12th of January, 1972, without any notification to myself, you have greatly impaired my chances to even be reasonably in these procedures constructively or competitively. A four day notice of election is inexcusable and completely contradictory to the requirements of the UAW Constitution and the laws governing these processes. If your objective was to deny me equity in my appeals and efforts to participate in a proper democratic election, you are succeeding admirably. I am greatly distressed and dismayed by the apparent lack of concern or obligation exhibited by those who are pledged to protect my rights and privileges guaranteed in my union constitution and laws of government. My fundamental rights in these areas have been violated and reasonable relief is not being substantially fought for, nor granted. To force me to go through with the election of January 11th and 12th, 1972 with only a four day notice is immoral, arbitrary and improperly unfair. It appears that everyone but me, is being considered in this endeavor to right many obvious and blatant irregularities.

Specifically I am referring to:

- 1) The four day notice of the elections: (Time, Date, Place) which I had to personally demand on the 4th of January, 1972:
- 2) The denial of access to the eligible and ineligible membership voting lists:
- 3) The refusal of all parties to discuss or divulge any information on the uncounted challenged ballots that could have, should have and would have resolved the May 1971 elections and avoided any further pursuance of this matter on my part:
- 4) The disruptive dominant interference in internal union business and politics by the Region #1 Director and members of his administrative staff:
- 5) The malicious and successful efforts of Bro. Mc Kinnon to deny the membership their right to constitutional participation in our election procedures as set forth in Art. 36, Sec. 10-D, U A W Constitution:
- 6) The flagrant interference of local plant management in our local union politics and especially in regard to those members that supported me in the election:
- 7) The obvious efforts of the local union president to dominate and dictate to the election committee. The Election Committee has not been allowed to meet nor formulate election policies, bulletins or rules:
- 8) The erroneous report of the Appeals Comm. and the resultant directives to rerun the run-off election was and still is contrary to what was requested in the original appeals and protests submitted in accordance with Art. 36, Sec. 12 by myself and the Members:

Since I am constantly reminded of my obligation to adhere to due constitutional processes and exhaust all prescribed internal remedies, it would appear appropriate that all concerned in this matter adopt and adhere to these same obligations. In so historically democratic an institution as our UAW Intl. Union, it is disillusioning and disastrous to find so many that are so anxious to distort and tarnish this image for their own personal vanity or vindictiveness. I can and do ask that those of you that receive this letter of protest and appeal to consider the ramifications of intentional mishandling and white-washing of this Eldon Avenue Ake situation on the reputation and record of our Intl. Union. Admittedly, you may beat me and my Local Union down, but we all will know that much is lacking and that our Union is not as great for the little people as it could have been and should have been.

Respectfully submitted for your  
Reaction and Reply,  
JORDON U. SIMS, MEMBER



LOCAL 961

Chrysler Eldon Avenue Axle Plant

7575 LYNCH ROAD • Tel. WA. 1-9184 and 1-9185  
DETROIT, MICHIGAN 48234

January 5, 1972.

Mr. Jordon U. Sims  
571 Harding  
Detroit, Michigan

Dear Sir and Brother:

Enclosed you will find a copy of the election notice that the election committee distributed Wednesday, January 5, 1971 at the plant to members.

Fraternally yours,

Frank D. McKinnon, President

LOCAL 961 UAW

FDM/db

opeiu42aflcio

1/5/72



UNITED AUTOMOBILE · AEROSPACE · AGRICULTURAL IMPLEMENT WORKERS  
/ AMERICA (UAW)

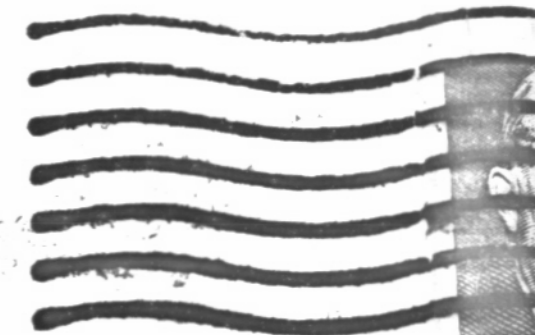


LOCAL 961

Chrysler Eldon Avenue Axle Plant

7575 Lynch Road

Detroit, Mich. 48234



EISEN

Tim Gordon U Sems  
571 Harding  
Detroit, Michigan 48214



J. U. SIMS  
571 Harding  
Detroit, Michigan 48214

JAN 27 1972



REASON CHECKED  
Unclaimed...  Refused  
Unknown...  
Insufficient address...  
Moved, let us know new address...  
No such office in state...  
No longer in business...  
No longer in this country

WELDON  
DEPT OF LABOR  
7310 WOODWARD AVE.  
DETROIT MICHIGAN 48226

48226

*Weldon*  
207

FEB 2 1972

REGISTERED

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*1-28-72*  
*MS*

JAN 17 1972  
*3758 Det*

*Solidarity House*

8000 EAST JEFFERSON AVE.  
DETROIT, MICHIGAN 48214  
PHONE (313) 926-5000



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

LEONARD WOODCOCK, PRESIDENT

EMIL MAZEY, SECRETARY-TREASURER

V I C E - P R E S I D E N T S

PAT GREATHOUSE • KEN BANNON • NELSON JACK EDWARDS • DOUGLAS A. FRASER • OLGA MADAR • DENNIS McDERMOTT

January 28, 1972

Mr. Jordan U. Sims, Member  
Local Union 961, UAW  
571 Harding  
Detroit, Michigan 48214

Dear Sir and Brother:

This will acknowledge your letter received January 17, 1972, and to advise you that your letter of protest will be reviewed by the International Executive Board. You will be advised of any decision or action by the Board following the meeting.

Your challenge or protest of the election will be presented directly to the International Executive Board, since the election conducted in your Local Union which you protest was conducted under the supervision of the Region 1 office and the United States Department of Labor.

Fraternally yours,

*Leonard Woodcock*  
Leonard Woodcock  
President

LW:bc  
opeiu 42

cc: George Merrelli, Director, Region 1  
Francis McKinnon, President  
Charles Burton, Recording Secretary  
Vernal Johnson, Financial Secretary  
Local Union 961

Dear Sirs and Brothers;

I am submitting to you this letter of protest in regards to the manner in which your offices established dates and criteria for the improper run-off election for Local #961. In setting the election for the 11th & 12th of January, 1972, without any notification to myself, you have greatly impaired my chances to even be reasonably in these procedures constructively or competitively. A four day notice of election is inexcusable and completely contradictory to the requirements of the UAW Constitution and the laws governing these processes. If your objective was to deny me equity in my appeals and efforts to participate in a proper democratic election, you are succeeding admirably. I am greatly distressed and dismayed by the apparent lack of concern or obligation exhibited by those who are pledged to protect my rights and privileges guaranteed in my union constitution and laws of government. My fundamental rights in these areas have been violated and reasonable relief is not being substantially fought for, nor granted. To force me to go through with the election of January 11th and 12th, 1972 with only a four day notice is immoral, arbitrary and improperly unfair. It appears that everyone but me, is being considered in this endeavor to right many obvious and blatant irregularities.

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- 3) The refusal of all parties to discuss or divulge any information on the uncounted challenged ballots that could have, should have and would have resolved the May 1971 elections and avoided any further pursuance of this matter on my part:
- 4) The disruptive dominant interference in internal union business and politics by the Region #1 Director and members of his administrative staff:
- 5) The malicious and successful efforts of Bro. Mc Kimmon to deny the membership their right to constitutional participation in our election procedures as set forth in Art. 38, Sec. 10-B, U A W Constitution:
- 6) The flagrant interference of local plant management in our local union politics and especially in regard to those members that supported me in the election:
- 7) The obvious efforts of the local union president to dominate and dictate to the election committee. The Election Committee has not been allowed to meet nor formulate election policies, bulletins or rules:
- 8) The erroneous report of the Appeals Comm. and the resultant directives to rerun the run-off election was and still is contrary to what was requested in the original appeals and protests submitted in accordance with Art. 38, Sec. 12 by myself and the Membership:

Since I am constantly reminded of my obligation to adhere to due constitutional processes and exhaust all prescribed internal remedies, it would appear appropriate that all concerned in this matter adopt and adhere to these same obligations. In so historically democratic an institution as our UAW Intl. Union, it is disillusioning and disastrous to find so many that are so anxious to distort and tarnish this image for their own personal vanity or vindictiveness. I can and do ask that those of you that receive this letter of protest and appeal to consider the ramifications of intentional mishandling and white-washing of this Eldon Avenue Axle situation on the reputation and record of our Intl. Union. Admittedly, you may beat me and my Local Union down, but we all will know that much is lacking and that our Union is not as great for the little people as it could have been and should have been.

Respectfully submitted for your  
Reaction and Reply,  
JORDON U. SIMS, MEMBER

Secretary of Labor

Letter from Dept. of Labor  
denying ~~my~~ protest of  
penalty - Penalty stands.



U. S. DEPARTMENT OF LABOR  
OFFICE OF LABOR-MANAGEMENT AND WELFARE-PENSION REPORTS  
WASHINGTON, D. C. 20210

February 28, 1972

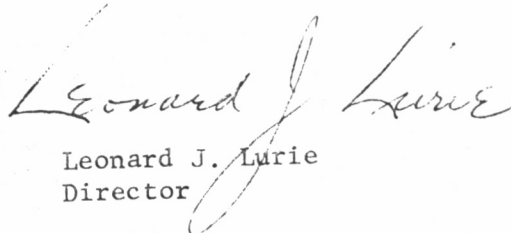
Re: Local 961, United Automobile,  
Aerospace and Agricultural  
Implement Workers of America  
Detroit, Michigan

Mr. Michael Adelman  
Glotta, Adelman and Dinges  
Fourth Floor, Hartz Building  
1529 Broadway  
Detroit, Michigan 48226

Dear Mr. Adelman:

The enclosed Determination represents the Department's final  
disposition of the matter mentioned therein.

Sincerely yours,



Leonard J. Lurie  
Director

Enclosure

U. S. DEPARTMENT OF LABOR  
OFFICE OF LABOR-MANAGEMENT AND WELFARE-PENSION REPORTS  
WASHINGTON, D. C. 20210

DETERMINATION

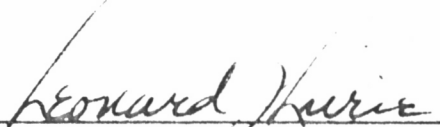
Determination of a Complaint Filed under Title IV  
of the Labor-Management Reporting and Disclosure Act of 1959

On October 18, 1971, the Secretary of Labor received a complaint alleging violation of Section 401 of the Labor-Management Reporting and Disclosure Act of 1959, as Amended (LMRDA), in the regular election of officers conducted on May 14 and 15, 1971, and on May 26 and 27, 1971, by Local 961, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Detroit, Michigan.

Pursuant to Sections 601 and 402 of the LMRDA, an investigation was initiated by the Department. On November 8, 1971, UAW President Woodcock directed the local to make immediate preparations to rerun the run-off election rendering additional investigation unnecessary. By agreement, LMSA participated in both the preparations for the rerun and in the conduct of the election. The rerun was conducted on January 11 and 12, 1972. It is, therefore,

DETERMINED, that there is probable cause to believe that any violation of Title IV of the LMRDA which may have affected the outcome of the election of officers conducted by Local 961 on May 26 and 27, 1971 has been remedied by the election completed on January 12, 1972 in accordance with Title IV of the LMRDA.

Signed this 25<sup>th</sup> day of February, 1972.

  
Leonard J. Lurie  
Director

LAW OFFICES OF  
**GLOTTA, ADELMAN AND DINGES**  
FOURTH FLOOR, HARTZ BUILDING  
1529 BROADWAY  
DETROIT, MICHIGAN 48226

February 24, 1972.

RONALD D. GLOTTA  
MICHAEL ADELMAN  
ROBERT J. DINGES

313/964-1190

Mrs. Ann Neydon, Investigator  
Labor-Management Services Administration  
U.S. Dept. of Labor  
234 State Street, Room 1906  
Detroit, Michigan 48226

Re: Jordan U. Sims Local 961-U.A.W.

Dear Mrs. Neydon:

As counsel for Jordan U. Sims we wish to inform you of the action taken by the Membership of Local 961-U.A.W. at the February 20, 1972, General Membership Meeting regarding the January 11 and 12, 1972, Run-Off Election. The action taken by the Membership was to overwhelmingly reject by voice vote the Election Committee's report of the January 11 and 12, 1972 Run-Off Election.

The reason for the Membership's rejection of the Election Committee report was the Union's failure to conduct the election in accordance with its Constitution and By-Laws. Article 38, Section 10 (c) of the U.A.W. Constitution states.

"All elections shall be held under the supervision of a democratically elected Election Committee."

Article 8, Section 2 (a) of the Local 961 By-Laws states.

"The Election Committee shall have complete charge of the Election. It shall be responsible only to the Local Union. They shall be governed by the International Constitution, the Local By-Laws and the instructions of the General Membership Meetings held prior to the Election." [emphasis added]

However, at the February 20, 1972 meeting it was disclosed by Russell Thompson, Chairman of the Election Committee, that the Local Executive Board, President Frank McKinnon and various U.A.W. Region 1 officials had dictated the election dates and procedures to the Election Committee, and that, in fact, the Committee did not have "complete charge of the Election." This interference with the constituted duties of the Election Committee was one of the

principal reasons the Membership rejected the Election Committee report. In addition, at the December 19, 1972 General Membership meeting Election Committee members Arvie Richardson and Frances Barksdale complained of domination and interference with Election Committee activities by Frank McKinnon, Regional Representative W. Waller, and Regional Director George Merreli. We also refer you to U.A.W. President Woodcock's November 8, 1971 letter to Local 961 which directed that the Run-off Election be "conducted in consultation and cooperation with the Region 1 office. The concept of "consultation and cooperation" is far removed from that of "conducted under the supervision of the Region 1 office" as expressed by President Woodcock in a January 28, 1972, letter to Jordon U. Sims, and in polar opposition to the actual dictation and domination of the Election Committee by Region 1 officials including George Merreli which took place in the Local 961 hall.

Another important reason for Membership rejection of the Election Committee report was the Union's refusal to recognise and follow the Membership's mandates expressed at the December 19, 1972, Membership Meeting. It should be noted that Article 3, Section 1 of the Local 961 By-Laws states

"The highest authority of the Local Union shall be vested in the General Membership Meeting."

At the December 19, 1971 meeting member Roy Manning moved that the Run-Off Election should not be held on January 11 & 12, 1972, because all candidates would not have an equal and sufficient opportunity to campaign. This motion was decisively supported by the members present. At the same meeting member Eddie Thomas moved there should not be a Run-Off Election at all, and instead either the improperly challenged ballot, from the May, 1971 elections should be counted, or a new General Election should be held. This motion was also decisively supported by the members present. These facts were reiterated by Member Tony C. Moore at the February 20, 1972 meeting as another reason for rejecting the Election Committee report.

The Union has asserted that the December 19, 1971 General Membership was illegal because of an adjournment by the chair, Frank McKinnon, and that the motions passed were therefore nullities. In rebuttal of this assertion we are attaching our memorandum on the points of parliamentary



law involved. Our memorandum will prove the December 19, 1971, meeting was legal and proper and the motions moved and supported were binding on Local 961 and the International Union.

Violation of the fifteen (15) day notice requirement of the U.A.W. Constitution [Article 38, Section 2] was another point of dissatisfaction, and was raised by Member Charles Ingram. In this connection we refer you to Count two (2) and attached exhibits of our January 27, 1972 Complaint to your office.

In addition, Member J.C. Thomas raised the question of untimely notification of the February 8, 1972, Recount. Jordan U. Sims received only a few hours notice of the Recount, and his challenger, J.C. Thomas, received no notice whatsoever. The result was Sims was deprived of his right to a challenger at the Recount.

In summary, the reasons for the Membership's rejection of the Election Committee Report of the January 11 & 12, 1972, Run-Off Election were

1. interference with and domination of the Election Committee by Frank McKinnon, Regional Director George Merrelli and representatives of his office, and the Local Executive Board, contrary to the U.A.W. Constitution and Local 961 By-Laws.
2. the Union's undemocratic and illegal refusal to recognize and follow the December 19, 1971 mandates of the Membership, the "highest authority of the Local Union".
3. violation of the fifteen (15) day notice of election requirement of Article 38, Section 2 of the U.A.W. Constitution.
4. insufficient and untimely notice of the February 8, 1972 Recount.

You should also be aware that at the February 20, 1972 Membership Meeting Frank McKinnon stated to the Members that the Run-Off Election was "supervised" by the Labor Department. To legitimize this allegation McKinnon referred to Leonard Woodcock's January 28, 1972 letter to J.U. Sims [copy attached] which states "... the election conducted in your Local Union which you protest was conducted under the supervision of the Region 1 office and the

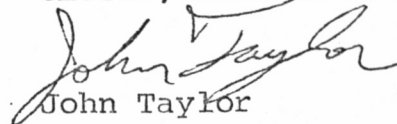
U.S. Dept. of Labor." Our understanding was that your office was merely observing the election and not supervising it, and we would appreciate your comments in clarification of this matter.

In conclusion, we complain again of the continuing obstructive and dilatory actions, or rather inaction, of the Union in acknowledging and acting upon the numerous complaints and protests of the Local 961 elections. Jordon Sims' January 17, 1972 internal Union protest of the election was acknowledged by President Woodcock January 28, 1972 and nothing has been done. December 9, 1971 a Petition of Protest and Appeal containing the signatures of approximately one thousand (1,000) members and protesting the concept of a Run-Off election was submitted to the International Union. This petition was acknowledged December 22, 1971, and nothing has been done. We hope, and believe, your office will not permit the Union to again delay for almost a year as was the case in 1971.

Thank you for your attention and cooperation in this matter. We will appreciate being informed as soon as possible, and on a continuing basis, of whatever action your office takes in this case.

Yours truly,

GLOTTA, ADELMAN & DINGES

  
John Taylor  
JT:dds

Encl:

MEMORANDUM

The U.A.W. Constitution requires all Local Union meetings to be conducted according to Roberts Rules of Order:

"All questions of parliamentary nature shall be decided by Roberts Rules of Order."

Article 42, Constitution

Roberts states in his introduction to the Rules of Order that

"The object of Rules of Order is to assist an assembly to accomplish in the best possible manner the work for which it was designed. To do this it is necessary to restrain the individual, in any community, to do what he pleases, is incompatible with the interests of the whole. Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty."

Roberts Rules, page 14

(Note: unless otherwise indicated all quotations are from the Seventy Fifth Anniversary Edition of Roberts Rules of Order.)"

Clearly, the democratic rule of the majority in meetings and assemblies was Roberts purpose in writing the Rules of Order. The U.A.W. claims it is a democratic union and this is why Roberts Rules were adopted as the official rules of all Local Union meetings.

The December 19, 1971 Membership Meeting of Local 961 was filled with parliamentary mistakes by some officers and deliberate and desperate attempt by the President, Frank McKinnon, to deny the clearly and overwhelmingly expressed desire of the Membership that a meeting should be held. President Frank McKinnon has made statements and claims that the December meeting was illegal because no agenda was approved by the members. Undoubtedly McKinnon and others will continue to spread this rumor for the next few weeks. They will do this in an attempt to justify their efforts to ignore the Membership's wishes and impose a January 11-12, 1972, date for the new Run-Off election. They will claim that because the entire meeting was illegal, the motions to reject the January 11-12 date and to reject Brother Woodcock's directive of a new Run-Off (which were approved by a vast majority of members present) are therefore not legal and binding on the Local Union or the International.

The purpose of this paper is to eliminate these completely false claims by 1) proving that Roberts Rules of Order were violated in several important ways in an attempt to subvert the members desires, and 2) by proving that regardless of these illegal and unprincipled attempts the meeting was, in fact, legal and that the motions passed are binding on Local Union 961 and the International Union.

The first issue at the December meeting was the proper position on the chair's proposed agenda of reconsideration of Brother Eddie Thomas' motion to reject Brother Woodcock's directive to hold a new Run-Off Election. This motion was improperly ruled out of order by President McKinnon at the November Membership Meeting, and after a challenge of this ruling by the members the Vice President took the chair and arbitrarily and illegally "adjourned" the meeting

with no reason given. The question, then, is the effect on unfinished business of adjournment of a meeting. The answer to this question depends on whether there was a meeting. The answer to this question depends on whether there was a "meeting" and whether or not adjournment closed the session. Roberts Rules give the following definition of a "meeting":

"In this Manual the term "meeting" is used to denote an assembling of the members of a deliberative assembly for any length of time, during which there is no separation of the members."

Roberts, Section 63, pp254

Regarding adjournment of a meeting, Roberts states:

"In ordinary practice a meeting is closed by moving simply "to adjourn"...If it does not meet till the time for the next regular meeting as provided in the By-Laws then the adjournment closes the session."

Robert, Section 63, pages 254-255

According to this rule, the Vice President arbitrary "adjournment" of the November Membership Meeting closed the session with Brother Thomas' motion still on the floor as unfinished business. In such a case, the effect of adjournment on unfinished business is:

"When the adjournment closes a session in an assembly having regular sessions as often as quarterly, the unfinished business should be taken up just where it was interrupted, at the next succeeding session, previous to new business."

Roberts, Section 18, pages 63-64

Therefore, Brother Thomas' November motion should have been presented to the Membership at the December meeting just before the "New Business section of the agenda.

Under Roberts Rules the proper presentation of a proper agenda is the joint responsibility of the Recording Secretary and the Chairman.

"The secretary should, previous to each meeting, for the use of the chairman, make out an order of business, showing in their exact order what is necessarily to come before the meeting."

Roberts, Section 65, page 262

One statement of the chairman's duty regarding the agenda is:

"... announce the business before the assembly in the order in which it is to be acted upon."

Roberts, Section 58, page 262

In a section of Roberts Rules called "Hints to Inexperienced Chairmen" the chair is advised:

"You should know all the business to come regularly before the meeting and call for it in its regular order."

Roberts, Section 58, page 243

This interesting and instructive section also states to the inexperienced chairman:



"While in the chair, have beside you your Constitution, By-Laws, and Rules of Order, which should be studied until you are perfectly familiar with them."

Roberts, Section 58, page 242

Under Roberts Rules the chairman has an overall duty to carry forward the business of the assembly and not obstruct or oppose it. He should:

"assist in the expediting of business in every way compatible with the rights of the members."

Roberts, Section 58, page 237

This same section also states:

"The great purpose of all rules and forms is to serve the will of the assembly rather than to restrain it; to facilitate and not to obstruct, the expression of their deliberative sense."

Roberts, Section 58, page 242

Clearly, the chairman's chief duty is to carry on a meeting, not adjourn it with no attempt to "serve the will of the assembly."

~~to adjourn a meeting~~ Roberts Rules do not give the chairman's <sup>authority</sup> ~~chief duty~~ is to carry on a meeting because of "no agenda" as was attempted by Frank McKinnon at the December meeting. Indeed, Roberts requires extremely unusual circumstances to justify the chair's adjournment of a meeting without a Motion to Adjourn from the floor:

"In case of fire, riot, or very serious disorder, or other great emergency, the chair has the right and the duty to declare the assembly adjourned to some other time (and place if necessary), if it is impracticable to take a vote, or in his opinion, dangerous to delay for a vote."

Roberts, Section 58, page 237

Not a word about "no agenda, no meeting" as was claimed by President McKinnon. There was, obviously, no fire, no riot and certainly no "serious disorder or other great emergency" at the December Membership Meeting. Therefore, it was completely improper for McKinnon to try to adjourn the meeting merely because the members did not approve his proposed agenda. He should have served "the will of the assembly" by amending the agenda to the members' satisfaction, and then carried on the business of Local 961.

Of course, a meeting can always be adjourned upon a motion to adjourn from the floor which is supported and approved by the members. It should be noted however that Local 961 By-Laws state:

"After meeting is in progress for two hours or more a motion to adjourn will be in order."

By-Laws, Article 17, Section 1(a)

This seems clear evidence that Local 961 members, acting through the By-Laws Committee, intended that membership meetings should run at least two hours to insure ample opportunity to carry out the business of the Local.

It goes without saying that the December meeting had not

run anywhere near two hours when the chair made its attempt at adjournment.

Finally, Roberts Rules require that the other officers present take the chair, following the chair of command, if the chairman vacates the chair:

"... the first Vice-President if there is one, should take the chair, and in his absence the next one in order should take it."

Roberts, Section 58, page 241

Because the Vice President was not present at the December meeting it was therefore the duty of the Recording Secretary, "the next one in order", to chair the meeting. When Brother Burton refused the chair the chain of command as expressed in Article 40 of the Constitution should have been followed--Financial Secretary, Treasurer, Trustees, Sargeant-at-arms and Guide. Instead, Brother Charles M. Thornton, chairman of the shop committee, was recommended as chairman to the Membership by the Executive officers present, and this recommendation was moved and carried by the Membership. No objection whatsoever was raised by anyone to his taking the chair. Most of the executive officers were present; none agreed to chair the meeting; none objected to the chairmanship of Brother Thornton; All therefore waived their responsibility as officers. None of these officers left the meeting and all of them participated in it, an unmistakable indication of their approval of the proceedings. Even Brother McKinnon was seen voting on several motions!

This failure of Local officers to fulfill their legal and constitutional duties cannot be laid at the members' doorsteps and cannot be used to invalidate the meeting. The members demanded and were entitled to a meeting; there was a meeting and it was, in fact, chaired by a responsible local officer, and Local Union business was, in fact, carried on in an orderly and democratic manner. To rule this an illegal meeting would completely obstruct the members' collective expression of their collective desires, and make the membership the unwilling victims of their own officers' disodience of Roberts Rules and the U.A.W. Constitution.

This discussion of Roberts Rules and the December Membership Meeting of Local 961 leads to the following obvious and inescapable conclusions:

1. Brother Burton Should have presented a correct agenda to the chairman, Brother McKinnon.
2. Brother McKinnon had a duty to ask the secretary for a proper agenda.
3. a proper agenda would have included a reconsideration of Brother Thomas' November 21, 1971 motion just before the "New Business" portion of the agenda for the December meeting.

4. It was improper for Brother McKinnon to try to adjourn the December Meeting with out there being fire, riot, serious disorder, great emergency, or a Motion to Adjourn supported and approved by the Membership.

5. It was therefore proper for the members to insist that a meeting be held, and that an officer should chair it.

6. Even though the chain of command was not strictly followed in filling the vacant chair, this was the officers' responsibility and not the members! This excuse, therefore, cannot be used to declare the meeting illegal.

7. Therefore, The December 19 Membership Meeting of Local 961 was legal and proper, and the motions supported and approved by the great majority of members present were legal and binding on Local 961 and the International Union.

Dec. 21/1971  
~~February 24, 1972~~

H.J.T.