

DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 2 OF 16

FOLDER 22

WILLIAM B GOULD WSU
CHARGES OF CHRYSLER &
UAW DISCRIMINATION



WAYNE STATE UNIVERSITY

LAW SCHOOL

DETROIT, MICHIGAN 48202

May 15, 1969

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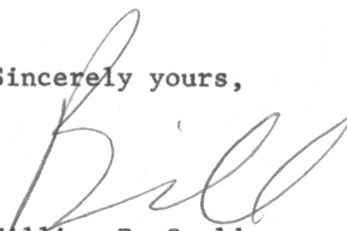
Dear Mike:

Enclosed herewith please find the DRUM and ELRUM charges and memorandum. Please keep me posted on future developments.

I will send you my manuscripts as they are completed.

With kindest regards,

Sincerely yours,



William B. Gould
Professor of Law

WBG/kk

Enclosures

MEMORANDUM IN SUPPORT OF CLAIMANTS CHARGES AGAINST EMPLOYER

Black workers at the Hamtramck Assembly, Eldon Avenue Gear & Axle, and Amplex plants are treated differently than white workers by the Chrysler Corporation. When a large group of workers made an effort to overcome racial discriminatory treatment, that effort was met by a campaign of harassment, discipline, and even discharge by the corporation. This is the crux of the charges and it is the purpose of this short narrative to give a background and setting to the charges, which are, of necessity, skeletal and incomplete. We recognize that a thorough investigation, interviews with the complainants and witnesses, will be remedial, nevertheless, we are submitting this statement with the hope that it will aid those entrusted with the investigatory task.

Over 60% of the employees at ^{Dodge} Hamtramck Assembly are black, but over 90% of Department 9110 is black. This is the body shop. Those who work in it have the hardest, dirtiest, noisiest jobs in the plants. Newly hired blacks are regularly assigned there at first. Few leave. Advancement is limited to going from arch welder to maintenance. This is the only avenue of the skilled trades open from the body shop. At the ^{Chrysler} Eldon plant Department 70 and 71 are comparable to the body shop. One is 95% black, the other 75% black. Usually blacks are hired into either of these two departments. When a white is placed in either of these departments, which is unusual, he is given an easier job, which sometimes means moving a black, and has the opportunity to work his way up and out. For blacks it is different, in the last 3-1/2 years only one black man has become an apprentice.

There is, unfortunately, a strong connection between these conditions and the seniority system. The seniority system, while fair on its face (we will discuss application infra) dates back to a period when Chrysler Corporation practiced blatant racial discrimination in its hiring and job placement policy.

Because the seniority system was born in the throes of racism, and because the seniority has been left untouched through the years, the old racist pattern has perpetuated itself and, although no longer evident in hiring policies, still affects job placement and advancement to the disadvantage of black workers.

The seniority system, however, is not the only way in which black

workers are treated as a separate class by Chrysler Corporation. Black workers are disciplined in a harsh and arbitrary way. Minor matters like getting hurt on the job, being late to work, or being on sick call often result in loss of time, disadvantageous transfers or even discharge.

Safety conditions are poor with many areas in the plants below legal limits. As it would be assumed these hazardous conditions produce many injuries. When black workers go for first aid, their injuries have been misdiagnosed and minimized and they have been sent back out to work prematurely.

Furthermore, because of the disproportionate number of white supervisory and administrative personnel, advancement of black workers has frequently been blocked. There have been instances where, before examinations for apprenticeship programs or for foremen jobs were even given, white workers knew of the jobs and that they were going to get the job. There have been cases where black workers with college degrees have lost out to white workers with less than a high school education in competition for advancement to jobs requiring administrative rather than mechanical ability.

Furthermore, the above-mentioned discrimination of black workers in the disciplinary procedure has made it possible for the employer to continue to enforce its racism which forces black workers to work harder, with less safety, for less money and with less chance of promotion.

Obviously, what we describe here is a classic example of an employer's technique to use racism to divide white workers from black, thereby weakening the union that the employer must bargain with. Further, racial discrimination affords the employer of a large group of workers (black) who are reduced to subservience and docility by the oppressive and disadvantageous positions they find themselves in. (These methods are brilliantly described by J. Shelly Wright in the recent case of United Packinghouse Workers vs NLRB, ___ F2d ___ (1969) C.A.D.C. Further as Judge Wright points out in this landmark decision, since it has long been established that the toleration of racial discrimination in job placement advancement and/or discipline by the union is a violation of Sec. 8(b)(1), then a fortiori an Employer cannot enforce a policy of racial discrimination in these matters. Independent Metal Workers Union 147 NLRB 166, Shelley vs Kramer, 334 U.S. 1.)

Because of the longstanding and on-going discrimination, black workers have been set apart from white workers in many respects; advancement, job assignment, security and discipline. The result is that to ignore the objective classification of black workers on the basis of race is to deny reality. This reality certainly has not escaped the black workers. Therefore, those black workers who are able to escape from the fatalistic apathy induced by this system have begun to organize themselves, as they have in many other industries and locales, to combat this discrimination and the resulting oppressive conditions, to end the division between black and white workers so that black workers can get full benefit from unionization and by adding their true weight and energy to the union increase the benefits available to all union members regardless of race. The effort to organize black workers in recognition of their special, but inferior, status has taken different approaches in different industries and locales. In some industries, it has meant the first attempt at unionization, in others it has meant caucuses within existing unions and in others it has led to the formation of alternate unions. In this case, the desire of black workers to organize themselves to insure that their special interests and problems are fairly dealt with has resulted in a mass organization of rank and file black employees at the various plants aforementioned. The purpose of this organization is to insure that discrimination is ended now and to increase the militancy of rank and file to insure that, as of the next contract, the rank and filers will be protected against speed ups and unsafe working conditions. This organization originally began as the Dodge Revolutionary Union Movement whose announced purpose was to put an end to the Employer's discriminatory policies which constitute an unfair labor practice. Parkinghouse Workers (supra).

The Dodge Revolutionary Union Movement (DRUM) came into being as a response to these circumstances. It started as a handful of black employees at the Hamtramck Assembly Plant producing a newsletter, also called DRUM, for the purpose as they put it, of "closing the communications gap" between black and white workers at the plant. DRUM grew rapidly into an organization that could run candidates in elections, and legitimately lay claim to representing the sentiments of thousands of black workers.

Because the conditions at the Hamtramck Assembly plant were duplicated at the other aforementioned plants of the employer similar organizations sprang up at these other plants. As one would expect, development was not uniform so that black workers wishing to solve these problems at the plants where development was slow attached themselves to the organizations where development was faster. Thus, there were soon two newsletters--DRUM at Hamtramck Assembly and Huber and ELRUM at the Eldon Gear & Axle, with workers at the other plants attaching themselves to either the organization at Hamtramck or at Eldon. Because development of this organization is so rapid, fully developed units may emerge at the other plants before the investigation by the Board is complete. Already the two newsletters have become one, SPEAR. Eventually, these organizations have merged into the League of Revolutionary Black Workers. Their program has remained the same as stated above. Although the League does not at this time attempt or conceive of itself as the collective bargaining agent or a union competing with the UAW for the allegiance of the members of the aforementioned bargaining unit, it does seek to protect the rights of black workers guaranteed by Section 7 of this act from encroachment by the Employer (and, incidentally, to demand the protection of these rights and the fair and equal representation of black workers by the U.A.W.). [Therefore, the League of Revolutionary Black Workers is clearly a labor organization within the meaning of the Act.]

A complete exposition of the position of claimants is contained in Vol 2 No: 13 of "drum", a copy of which is attached hereto and made a part of this memorandum.

Although D.R.U.M. and E.L.R.U.M. have merged into the League of Revolutionary Black Workers, there continue branch organizations within the various plants such as DRUM and ELRUM. The reason for this rapid development can easily be gleaned from the history of labor organizations in this country: when workers working under oppressive conditions, finally begin to organize themselves to improve their conditions, they proceed to complete the tasks of organization in rapid, sometimes spectacular fashion. Certainly, since black workers have recently become a majority in the hardest, dirtiest and

most dangerous jobs while still being treated as an inferior class of workers, one cannot be surprised that they are rapidly organizing themselves to answer this illegal, unconstitutional and inherently unfair classification. Thus, as of this date, the League of Revolutionary Black Workers has the support of the vast majority of black workers, including many black union stewards.

Because the employer's ability to segregate and discriminate against black workers divides black workers from white workers and maintains a majority of workers at the aforementioned plants (black workers) in a docile and subservient state, thereby enabling the employer to more successfully resist many of the just demands of black (and white) workers. Because this has been such a successful tactic for so many years, the employer has actively interfered with, impeded and sought to destroy this new militancy of black workers which emanated as a natural result of the employer's own arbitrary and discriminatory classification.

Since November 1, 1968, there has been continual harassment of black workers' efforts to organize fellow workers in opposition to such discrimination and oppressive working conditions by use of their newsletters. This has been most severe at the Eldon Avenue Plant.

Black workers sought to organize such opposition by exposing the employer's unfair labor practices in a newsletter called ELRUM. ELRUM, published periodically, called attention to acts of racial discrimination by the Employer, reporting and analyzing both general conditions and specific instances of racial discrimination in job placement, exposure to abnormally dangerous working conditions and employee discipline. The Employer has made the distribution of this newsletter difficult in work and non-work areas. Foremen have confiscated it, in some instances from employees' lockers. Men have been told, if they were caught passing it out, regardless of where, they would be fired, and, indeed, some were. Workers at the Eldon Avenue Plant were told that anyone caught reading it, regardless of where, would be punished. Distributors of ELRUM, known to employer, were constantly followed, workers were told to keep away from them, and transfers were instituted to isolate them. In contrast to the treatment afforded ELRUM, the employer had previously, and has since, allowed the free distribution of other union literature at the same times and places.

Employers actions to prohibit or discourage the distribution of literature in non-work areas and to discriminatorily enforce regulations concerning the distribution of literature in work areas, when the proscribed literature is seeking to organize opposition to working conditions and the racial discrimination practiced by employer is a violation of Section 8(a)(1). Stoddard Quirk Manufacturing Company., 138 NLRB 75, Republic Aviation Corp. vs NLRB 324 U.S. 793. Claimants urge the Board to resolve disputes of facts in our favor in this area because of the threats posed by Employer's actions to Claimant's First Amendment rights. Fruit & Vegetable Packers vs NLRB Moore Dry Docks 92 NLRB.

This harassment of efforts to organize opposition to racial discrimination and working conditions often takes the form of conspicuously spying on workers distributing or accepting newsletters of DRUM, ELRUM, or SPEAR, or talking to known members and supporters of the Insurgent group. When supervisory personnel follow the distributors of this literature wherever they go and conspicuously eavesdrop on conversations they transmit a clear message: the employer disapproves of the League of Revolutionary Black Workers and will treat identifiable members and supporters with harsh discipline, if given the slightest pretext. Furthermore, the employer has transferred organizers or vocal members of the League to isolated jobs to prevent the spread of their ideas. These transfers also implicitly threaten potential members and supporters with unfavorable job assignments if their membership or support becomes known to the employer. Cf Stoddard Quirk Manufacturing Co. (supra), Moore Dry Docks (supra).

X In an effort to correct the racial discrimination and unsafe working conditions the black workers at the Eldon Avenue plant, ELRUM, attempted to voice their grievances to their bargaining agency, Local 961. Undoubtedly these conditions were serious enough for the black workers to refuse to work under them. Nevertheless, ELRUM, at first voiced their grievances en mass to their recognized bargaining agent. Because the session with Local 961 at its offices caused some workers to report to their work stations later than

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the appointed time, the employer imposed discipline on these workers.

Because of this unlawful interference with employees efforts to invoke the grievance procedure provided for in the collective bargaining agreement and the unfair labor practices of employer exemplified by employers, racism and the abnormally dangerous working conditions; claimants and their fellow black workers had no recourse but to engage in a concerted work stoppage to protect themselves and to protest the employer's racism, the dangerous working conditions and employer's interference with their legitimate efforts to organize opposition to these conditions. (This work stoppage was affirmatively protected by Sec. 502, Philadelphia Marine Trade Association 138 NLRB 84 and Sec. 8(a)(1) Mastro Plastics Corp. vs NLRB 350 U.S. 270 (1955).)

Instead of attempting to negotiate or correct the grievance of the employees, Employer's response was to violate Sec. 8(a)(3) and (1) of this Act by discharging and otherwise disciplining claimants and others for engaging in an "unauthorized work stoppage". Cf Philadelphia Marine Trade Assoc. and Mastro Plastics vs NLRB (supra).

Because Employer's unfair labor practices in levying such discipline caused the concerted activity of claimants and others of January 27, 1969, and because the unfair labor practices represented by the actions of the Employer and the working conditions described above continue unabated to date, claimants request the Board to exercise its authority under Section 10(j) of the Act to protect the right of claimants to organize for their protections and advancement, to stop Employer practice of racial discrimination, to protect the physical well-being of claimants and others from abnormally unsafe working conditions and to safeguard claimants and others from discriminatory discipline.

MEMORANDUM IN SUPPORT OF CLAIMANTS

AGAINST LABOR ORGANIZATION

Simultaneous to charging the employer with practising racism in order to divide workers, black against white, to induce a state of docility and apathy among black workers, claimants have also filed charges against Locals 3, 961, and the International UAW (separately).

Because these charges against said Locals contain many similarities and because they all raise a common question, i.e., "In light of the charge against the employer of seeking to divide the employees, why do petitioners now attack the union", we intend to explain the claims filed against Locals 3, 961, and the International in this one memorandum.

First, in answer to the inquiry of how we reconcile our attacks on the union with our charge against the employer, claimants state that there is a fundamental difference between the union leadership and beauracraclies on the one hand and the union which represents the unified force of the employees on the other. (Thus, claimants take the position that the local unions beauracraclies acquiesce in the racist practices of the employer because the resulting division between black and white workers and the docility and apathy of black workers insulate the union beauracraclies. In their privileged positions and by exploiting said division, said beauracraclies are able to maintain themselves in office without producing significant benefits for the membership as a whole.)

Thus it is no surprise that the local union officials in question have, (by their failure to protect black workers from the employer's unfair interference with their attempts to organize themselves), made clear their opposition to any attempt on the part of black workers to organize themselves in an effort to fight the racial discrimination of the employer.

The mere existence of wide-spread racism practised by the employer, the dangerous conditions under which black workers work and the employer's flagrant abuse of the black workers right to organize granted by this act is clear testimony that the Union has failed to represent black workers there by permitting and reinforcing the employer's unfair labor practices. Such

✓ conduct or lack of conduct is, of course, violative of Sec. 8(b)(1) and (2) of this Act and has been condemned by the Board in Hughes Tool case, 147 NLRB 166.

(Moreover, the Union has gone beyond mere failure to represent and protect black workers and has, in fact, actively interfered in the organizational efforts of petitioners, in violation of 8(b)(1).)

Thus, there have been frequent instances where Union personnel have themselves seized, confiscated and destroyed DRUM and ELRUM, the publications of petitioners. (More importantly, the Union has sought to intimidate black workers who are seen reading petitioners' literature or talking to petitioners organizers by threats of discipline by the employer; by dishonestly seeking to convince black workers that they could be fired for reading such literature or for becoming members or supporters of petitioners organization.)

Furthermore, the Union has not only allowed petitioners to be disciplined for activities protected by this Act, but has consistently helped perpetuate racist disciplinary procedure by lukewarm and ineffectual representation of black workers in disciplinary proceedings. As a result, black workers experience an inferior justice through the grievance procedure. If there is a conflict in the facts or the interpretation of Union contract or the governing statutes, the Union is more willing to believe the employer's agents (unless they happen to be black) as to the facts and more likely to react favorably to the employers interpretation of the contract or the law when the employee is black. As a result of the Union's failure to vigorously process the grievances of black workers they permit and reinforce the Employer's unfair labor practices.

On March 10, 1969, the Union, in a public letter, clearly stated that they had no intentions of representing members of the petitioners organization. Hiding behind a smokescreen of violence, the Union has openly sought to intimidate persons from joining petitioners organization by withholding representation from any member or supporters of petitioners organization. Although the Union did not mention the League of Revolutionary Black Workers specifically there can be no doubt for the contents of said letter as to whom they were referring. This blatant attempt by the Union to not represent militant black

workers is ironically premised on the accusation that petitioners seek to pit black workers against white workers. Not only is this a callous perversion of the truth about a system which has for years been founded on white hostility to black workers, but is an impotent attempt to hide the Union's own complicity in this racist system which pits white worker against black worker, which insures the Union beauracracy in their priviledges.

The latest proof of the unions policy regarding attempts by black workers to put an end to the discrimination they suffer is offered by the charge against Local 961 for actively interfering with the upcoming election for local offices. Such interference is designed to make sure that no militant black worker opposed to the union policy of acquiescence to the racial discrimination of the employer is elected. Claimants allege such interference to be violations of Section 8(b)(1)(A) because it interferes with their Section 7 rights. [But even if the Board construes this matter to be within the sole jurisdiction (which we do not concede) of the Secretary of Labor and the Federal Courts, claimants feel that the Board should look at this evidence as part of claimants proof that the local unions and the International union herein charged are guilty of non-representation and of actively perpetuating a policy of racial discrimination in the plant and in the union halls.] As of this date protest by claimants and others to the International regarding the flagrant election abuses at Local 961 have been to no avail.

In addition thereto, said international practices racial discrimination within its own ranks by excluding black workers from portions of leadership. That out of almost 1100 International representatives, less than 76 are black, despite the fact that almost 1/3 of the membership of said union are black workers and that, on an international basis, black workers clearly have special interests and problems resulting from the discrimination they suffer at the hands of employers generally.

This lack of representation of black workers at the international representative level of the International Union is a violation of the Union's duty to fairly represent all members of the bargaining unit in that if black

workers are deprived of adequate representation at the policy making level of the International, they have no adequate assurance and/or opportunity to insure that their special interests and problems are understood and advanced in negotiations with the employer.

Respectfully submitted,

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BY:

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CHARGES AGAINST LOCAL 961

1. Since on or about November 1, 1968, and continuing thereafter at the following location: Eldon Avenue owned by Chrysler Corporation, Local 961 UAW has consciously permitted and reinforced the employer in its attempts to interfere with certain rights of employees, to wit:

(a) Confiscation of literature, more specifically, a periodical pamphlet entitled E.L.R.U.M., which discusses certain conditions of employment and attempts to mobilize opposition in relation to those conditions.

(b) By harassing employees who seek to distribute E.L.R.U.M. and other literature relating to conditions of employment to fellow employees in non-production areas during non-work periods.

(c) By intimidating and threatening reprisals against employees who are seen accepting, reading, or discussing said pamphlet and literature in non-production areas during non-work periods.

(d) By threatening, harassing and intimidating workers who are discussing conditions of employment and attempting to mobilize opposition to said conditions during non-work periods.

(e) By transferring persons who are attempting to mobilize opposition to certain working conditions to isolated jobs for no other reason than to prevent from contacting fellow workers to mobilize opposition to certain working conditions.

The Union's acceptance and reinforcement of the employer's above conduct constitutes a failure to fairly represent the employees in violation of Sections 8(1)(A) and 8(b)(2).

By this and other conduct the Union violated rights secured by Section 7 all in violation of Section 8(b)(1)(A) and 8(b)(2).

2. Since on or about November 1, 1968, and continuing thereafter at the

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following location: Eldon Avenue Plant owned by Chrysler Corporation, Local 961 UAW, has permitted, accepted, and reinforced the employer's discrimination against black workers on racial criteria in the assignment of the work, the allocation of job classification, imposition of discipline, and use of discriminatory seniority system.

The Union's acceptance and reinforcement of the employer's conduct constitutes a failure to fairly represent the affected employees and therefore is a violation of Section 8(b)(1)(A) and 8(b)(2).

By this and other conduct the Union violated rights secured by Section 7 all in violation of Section 8(b)(1)(A) and 8(b)(2).

3. Since on or about November 1, 1968, and continuing thereafter, at the following location: Eldon Avenue Plant owned by Chrysler Corporation, the Union has failed to properly process grievances arising out of the employer's substantial and continuing breaches of the collective agreement between the employer and Local 961, UAW in relation to compelling workers to continue to work under abnormally dangerous conditions for work (and further by making assignments of work, allocations of job classifications, and imposing discipline on racially discriminatory criteria.) This failure to adequately process grievances arising out of said breaches constitutes a failure to fairly represent the affected employees all in violation of Section 8(b)(1)(A) and 8(b)(2) of the Act.

By this and other conduct the Union violated rights secured by Section 7 all in violation of Section 8(b)(1)(A) and 8(b)(2).

4. Since on or about November 1, 1968, and continuing thereafter at the following location: Eldon Avenue Plant, UAW Local 961 has engaged in direct interference with certain rights of employees, to wit:

(a) Confiscation of literature, more specifically, a periodical

entitled E.L.R.U.M., which discusses certain conditions of employment and attempts to mobilize opposition in relation to those conditions.

(b) By harassing employees who seek to distribute E.L.R.U.M. and other literature relating to conditions of employment to fellow employees in non-production areas during non-work periods.

(c) By intimidating and threatening reprisals against employees who are seen accepting, reading, or discussing said pamphlet and literature in non-production areas during non-work periods.

(d) By threatening, harassing and intimidating workers who are discussing conditions of employment and attempting to mobilize opposition to said conditions during non-work periods.

The above conduct on the part of the Union constitutes an interference with the rights to act together for mutual aid which is guaranteed to employees by Section 7 of this Act and constitutes a violation of Section 8(b)(1)(A) of this Act.

By this and other conduct the Union violated rights secured by Section 7 all in violation of Section 8(b)(1)(A).

5. *elec.*
L-G ✓ (That on or about March 20, 1969, at Local 961, UAW hall; UAW local 961 did purposefully discriminate against black members of said union by disqualifying black members from voting in the election for election trustees being then and there held.) That such exclusion prevents black workers from obtaining representation for the special problems they face as a result of the racial discrimination practiced by Chrysler Corporation in violation of the Section 8(b)(1)(A) and constitutes an unfair interference with the efforts of certain black militant workers to oppose the leadership and policies of Union through the Union election machinery in violation of Section 8(b)(1)(A).
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6. (That on or about April , 1969, at Local 961, UAW hall, UAW Local 961 did discriminate against black members of said Union by disqualifying black members from being candidates for office of said local. Said disqualification being in retaliation for the opposition of said members to the policy of the present local official to continue to allow the Employer to practice racial discrimination as hereinabove set forth. That said action violates rights guaranteed to black workers by Section 7 of this Act and is, therefore, a violation of Section 8(b)(1)(A) of the Act.)

CHARGES AGAINST INTERNATIONAL

1. On or about March 10, 1969, the International office of the UAW published a letter, a copy of which is attached hereto, and caused same to be distributed to the members of the Union including those at the following locations: Hamtramck Assembly Plant, Huber Foundry, Eldon Gear & Axle Plant.

Said letter is a violation of 8(b)(1)(A) and 8(b)(2) in that the letter is replete with untruths, distortions and exaggerations designed to heighten racial prejudice against militant black workers; further, that said letter contains a barefaced threat of non-representation to members, supporters or vocal adherents of the policy of any militant black workers organization. The purpose or effect of such a threat is to intimidate and deter opponents of the leadership and policies of UAW on the question of ending racial discrimination practiced by Chrysler Corporation against black workers in violation of 8(b)(1)(A).

Further, said letter announces that UAW is about to embark on a course of violating the right to representation of all members of said Union who might agree with such militant black workers in their opposition to the aforesaid leadership and policies of the Union.

2. On or about November 1, 1968, and continuing thereafter, at the following plants: Hamtramck Assembly Plant, Huber Foundry, Eldon Gear & Axle Plant, International office of the UAW has practised racial discrimination against black members of the Union by excluding black members from positions of leadership. That exclusion, which is demonstrated by the fact that out of almost 1100 International representatives of the Union, less than 75 are black, despite the fact that almost one-third of the membership of the Union is black, deprives black members of equal representation with regard to the special problems they face as black workers, in violation of 8(b)(1)(A) of this Act.

CHARGES

1. On or about November 1, 1968, and continuing thereafter, the employer has interfered with rights of the claimants in the following manner, at the following locations: Huber Foundry, Dodge Main, and Eldon Gear & Axle plants.

(a) By confiscating certain literature, more specifically: periodical pamphlets entitled D.R.U.M. and E.L.R.U.M., said literature containing criticism of conditions of employment in the employer's facilities. Said pamphlets are designed to mobilize opposition to certain conditions of employment at employer's facilities (hereinafter more specifically described).

(b) By harassing workers who seek in non-production areas during non-working periods to distribute the D.R.U.M. and E.L.R.U.M. pamphlets and other literature relating to conditions of employment for the purpose of mobilizing among fellow workers opposition and resistance to those conditions.

(c) By intimidating, harassing, and threatening reprisals against employees who are seen accepting, reading, or discussing said pamphlets or other literature relating to conditions of employment, in non-production areas during non-work periods.

(d) By threatening, harassing, and intimidating employees who are discussing certain conditions of employment during non-work periods.

(e) By transferring persons distributing the above literature to isolated jobs for the purpose of preventing them from contacting other fellow workers and discussing certain conditions of employment.

Such conduct violates Section 8(a)(1) and 8(a)(2) of the Act.

By this and other conduct the employer violated rights secured by Section 7 all in violation of Section 8(a)(1).

2. On or about November 1, 1968, and continuing thereafter the employer has, at the following locations: Huber Foundry, Dodge Main, and Eldon Gear & Axle

practiced discrimination against black workers by:

(a) Assigning black workers to the most hazardous jobs and exposing said workers to unsafe working conditions.

(b) By utilizing racially discriminatory standards in disciplining black workers.

(c) By making racially determined assignments to job categories thereby denying black workers adequate opportunities to advance themselves. Such conduct constitutes a violation of Section 8(a)(1) of the Act.

(d) By maintaining a seniority system which is inherently and historically discriminatory against black workers.

By this and other conduct the employer violated rights secured by Section 7 all in violation of Section 8(a)(1).

3. On or about January 27, 1969, at Eldon, certain black employees engaged in a work stoppage for the purpose of avoiding and protesting abnormally dangerous conditions for work at the place of employment; to protest the interference with to discuss and mobilize support to correct certain conditions of employment, as described in paragraph 1 of this charge; to protest substantial breaches of the present collective agreement, to wit: forcing employees to work under abnormally dangerous conditions at the place of employment, and certain racial discriminations against black workers in relation to job assignments, job classifications and discipline. Because the work stoppage was motivated by the desire to avoid and protest abnormally dangerous conditions of work at the place of employment, this concerted work stoppage is afforded protection by Section 502 of the Act. Further, because such work stoppage was in protest of employer interferences with their rights to discuss and mobilize support in order to change certain conditions of employment, as described in paragraph 1 of this charge. Further, because such work stoppage was in protest of substantial breaches of an existing Labor Agreement in relation to hazardous and unsafe conditions and certain

discriminations on racial criteria, (said breaches being violations of Section 8(a)(5) of the Act), and further because said work stoppage was in protest of racial discrimination exercised by Employer which constituted an unfair labor practice in violation of Section 8(a)(1) of this Act, the work stoppage was affirmatively protected by Section 7 of the Act. The employer has discharged and disciplined members of the League of Revolutionary Black Workers and other workers who participated in the work stoppage of January 27, 1969. Because the work stoppage was affirmatively protected by Section 502 of the Act and Section 7 of the Act, such discharges and discipline constitutes a violation of Section 8(a)(3) of the Act.

By this and other conduct the employer violated rights secured by Section 7 all in violation of Section 8(a)(1).

4. Since on or about November 1, 1968, and continuing thereafter, at the Eldon Plant, the employer has attempted to interfere with a protected work stoppage attempting to invoke the legal process of a State Court solely for the purpose of harassing the leaders and participants in the protected work stoppage. This use of State legal process to interfere with protected strike activity constitutes a violation of Section 8(a)(1) of the Act.

By this and other conduct the employer violated rights secured by Section 7 all in violation of Section 8(a)(1).

5. Since on or about November 1, 1968, and continuing thereafter, at the following locations: Huber Foundry, Dodge Main, and Eldon Gear & Axle plants, the employer has substantially breached the present collective agreement between the employer and Locals 3 and 961, UAW, by compelling employees to work under abnormally dangerous conditions and further by making work assignments, job classifications, allocations, and imposing discipline upon racially discriminatory criteria in violation of said labor contract between the employer and Locals 3, 961, and the International respectively. These substantial and continuing violations under said labor agree

constitute a violation of Section 8(a)(1) and 8(a)(5) of the Act.

By this and other conduct the employer violated rights secured by Section 7 all in violation of Section 8(a)(1).