

# DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 2 OF 16

FOLDER 34

JORDAN SIMS DISMISSAL

APPEAL BD CASE 5351

CHRYSLER BRIEF 1970

APPEAL BOARD CASE NO. 5351  
GRIEVANCE NO. 70-403

STATEMENT ON BEHALF OF CHRYSLER CORPORATION

PRELIMINARY STATEMENT

In this case, the Union is trying to reinstate a most obstreperous employee at one of Chrysler's most troubled plants. (The President of the Local Union, Elroy Richardson, in a telegram to the Plant Manager, referred to "the disharmony and disruption at the Eldon Ave. Axle Plant".) The Union objects to Chrysler's discharge on May 6, 1970 of Jordan U. Sims, Chairman of the Plant Shop Committee at the Eldon Avenue Axle Plant, for leading and taking part in an illegal strike and picketing from May 1 to May 4, 1970.



ISSUE



The issue before the Impartial Chairman is a relatively simple one. Did Chrysler properly exercise its right under Section (7) of the National Production and Maintenance Agreement to discharge any employee taking part in any violation of Section (5) of the Agreement, by discharging one of the Local Union's highest officials, who abdicated his responsibility to Chrysler, (the Union and the Union membership by advocating,) leading, fostering and participating in an illegal work stoppage from

May 1 to May 4 that cost the plant 29,502 manhours and 6,900 axles and, who thereafter, while a grievance involving his discharge was in the contractual grievance procedure, illegally picketed the plant on May 27 and (28) and, who, even later, threatened management employees on August 12?

## FACTS

### Background

This controversy had its inception on April 15, 1970, when third shift Foreman Irving Ashlock criticized Johnnie Scott, one of his employees, for failing to produce at the normal pace. Scott's reaction to this criticism was to follow Ashlock away from his work station, thrust his right hand into his jacket pocket as though he was holding a gun or knife and lean menacingly toward Ashlock. Ashlock told Scott to take his hand out of his pocket. When Scott refused, Ashlock took a pinion from the line and jumped away from Scott. At this point, Scott pulled his hand from his pocket and said that he did not have anything in it. Several other employees and supervisors came between Scott and Ashlock and the incident ended. Shortly thereafter, General Foreman Dembroski suspended Scott pending investigation.

At about noon on April 16, 1970, after an investigation, Labor Relations Representative Walter Ector gave

Scott his notice of discharge. About an hour later, Elroy Richardson; the Local Union President, asked Virgil Anderson, Division Labor Relations Manager, to reconsider the decision to discharge Scott. In response to this request, Joseph Hafner, Personnel Manager, Carl Polsgrove, Labor Relations Supervisor, and Anderson consulted H. T. Engelbrecht, Plant Manager, while Union officials, including Richardson and Sims, waited in the Labor Relations office. Shortly after 5:00 P.M., Anderson, Hafner and Polsgrove returned to the Labor Relations Office and Anderson informed the Union that the decision to discharge Scott was unchanged. "Within 45 minutes," the Labor Relations Office received word that there was a strong rumor circulating in the plant of an illegal strike set for 6:30 P.M. that night.

At approximately 6:30 P.M., the rumor materialized; employees left their work and struck. The strike lasted three days, through April 19. As a result, the plant lost 23,904 man-hours and the production of 8,185 axles.

On April 20, Lowell W. Perry, a Manager on the Corporate Labor Relations Staff, in a meeting at the plant with the entire Plant Shop Committee, all Local Union Officers and two International Representatives, told the Union that

Chrysler was reinstating Scott but that it was going to discipline some employees involved in the illegal strike. At the Union's request, he said there would be no disciplinary action until the UAW's convention in Atlantic City had ended and the International Representatives and local delegates had returned to Detroit.

During the next week, Chrysler thoroughly investigated and assessed the roles that various Union officials had played in inciting and/or participating in the work stoppage. After this investigation, Chrysler decided to discharge 12 Union officials -- nine Chief Stewards, two Alternate Plant Shop Committeemen and one Trustee. On Friday, May 1, Anderson told Richardson, who, together with the other Local Officers and Committeemen, was at the plant for a grievance meeting, that Chrysler was about to discipline those responsible for the April 16 - 19 work stoppage. At approximately 3:00 P.M., Anderson, Hafner and Polsgrove met with Richardson and the other Local Officers and Committeemen. Anderson informed the Union that he planned to announce the disciplinary action and implement it forthwith, and that he then would talk with the Union about anything that it wished. However, the Union officials said that they did not wish to hear about the discipline and urged Chrysler to put off any action that it contemplated for three more days, i.e., until Monday, May 4. Before Anderson could tell them

No!

about Chrysler's decision concerning discipline, the Union representatives walked out of the meeting.

*ENTIRELY FALSE!*

A few minutes later, Richardson, Sims and Franklin (Recording Secretary) returned. Richardson renewed the request that Chrysler postpone the disciplinary action until May 4. Anderson again declined and said that Labor Relations would call the second shift officials who were then working to the office that night and inform them of their penalties. He asked Richardson and Sims if they wanted to be present. Both said they did not. Richardson then asked if Management would excuse the second shift Chief Stewards from the plant for a Union meeting. Polsgrove told Richardson that he did not object and, at approximately 5:45 P.M., all Officers, Committeemen and second shift Stewards left the plant.

By 8:25 P.M., all the second shift Stewards had returned to the plant. At 10:00 P.M., Polsgrove sent for the second shift officials (five Stewards and the Trustee) whom Chrysler was discharging. He had already sent telegrams to the six other officials who were not in the plant on the second shift, notifying them of their discharges. At approximately 10:15 P.M., Polsgrove notified those who were at work of their discharges. Instead of leaving the plant in an orderly manner, they immediately went through the plant and led a

substantial number of second shift employees in the Union's second illegal walkout in two weeks. By 1:00 A.M., on May 2, so many had left that it was necessary to suspend production.

#### Sims' Activities

At approximately 11:30 P.M. on May 1, Ector saw Sims walking through the plant's main aisle and, as he approached a group of 15 to 20 third shift employees, who had already started work, he motioned over his shoulder with his thumb toward the door and said, "Get out". Shortly thereafter, Sims and Committeeman Thornton went to the Labor Relations office where Polsgrove gave them the discharge notices for the twelve officials Chrysler discharged. Sims evinced great disappointment that Chrysler had not discharged him for the illegal April 16 - 19 walkout and sarcastically asked where his discharge notice was. Sims asked Polsgrove why Chrysler was not discharging the officials really responsible for the walkout. As a matter of fact, Chrysler had considered disciplining Sims for his failure on April 16 to exercise that degree of positive leadership that one expects of a Union official of his rank, notwithstanding Polsgrove's having asked him to do so. However, Chrysler's investigation of the walkout revealed that the twelve officials whom Chrysler discharged had actively incited and participated in it to a far greater extent than had Sims through his negative leadership role. As we shall see, Sims left no

doubt as to his responsibility for the strike from May 1 to May 4, to insure his subsequent discharge.

At approximately midnight, after Sims and Thornton left Polsgrove's office, Foremen Shimkus and Beamish saw Sims in Department 77 (Heat Treat). He went from employee to employee, talking to each one. As soon as he had finished his talk, each employee stopped working and walked off his job. Apparently to make sure that Chrysler would have no doubt about his message to the employees, Sims approached one who was talking with Shimkus, and said, "Come on Mateuse, let's go."

At approximately 5:05 A.M. on May 2, Foremen Blair and Trumbull saw Sims in Department 81 (Axle Assembly), a department that is not in Sims' district, addressing the employees working on the lines. Sims told them, "They fired all the Union officials last night. The company said they wouldn't do it but waited until everyone went home and did it anyhow." He then told the employees to leave the plant and to go to the Union hall, as the Union was on strike. General Foreman Jerry Blair then asked Sims, "Mr. Sims, are you advocating an unauthorized walkout?" Sims, completely disregarding his responsibilities as Chairman of the Plant Shop Committee, replied, "I am." Sims continued to circulate in the Department and talk to employees. After he left, Committeeman Willie Farmer came to Department 81 and, as Sims should have, told the employees to stay on the job They did.



In the afternoon of May 2, and on May 3 and 4, Sims and others picketed at the Main Gate and prevented the majority of the employees from entering the plant for work. On the night of May 3, Chrysler had obtained a temporary restraining order enjoining the strike from a Judge of the Wayne County Circuit Court. It served the order on Sims at around 5:50 A.M. on May 4. However, this did not stop Sims. Numerous individuals, including representatives of the Personnel Office and supervisors, saw Sims continue to picket the Main Gate and prevent employees from reporting for work. He told employees that if they entered the plant they would be working without union representation (and) they "wouldn't want to do that, would [they]". He directed them to report to the Union hall, which they did.

Sims' conduct on May 1, 2, 3 and 4 amply demonstrates his utter disregard for orderly collective bargaining processes and his culpable role in the illegal strike. To Chrysler's knowledge, no other Committeeman and no Union Officer advocated the strike. No other Committeeman or Union Officer picketed the plant at any time during the strike or urged employees not to work -- only Sims.

The illegal strike and picketing did not end until the third shift on May 4, while counsel for Chrysler were in court instituting contempt proceedings against Sims and other

*UNION LEADERSHIP*

pickets. As a result of the strike, the plant lost 29,502 manhours and the production of 6,900 axles.

On May 5, the Union grieved about the discharges on May 1 of employees who took part in the illegal strike of April 16 - 19, arising out of the Scott incident.

On May 6, Chrysler discharged Sims and Chief Steward Francis McKinnon who had participated in the May 1 - 4 walkout.

On May 7, Chrysler and the Union disposed of five grievances by agreeing that Chrysler would offer reinstatement on May 11 to five employees it discharged for the April strike, with no back pay and a penalty of record of 30 days' disciplinary layoff. The other seven of the 12 discharge grievances proceeded to the Appeal Board.

On May 8, 1970, the Union presented a letter protesting the discharge of Sims, a copy of which is attached hereto as Exhibit "A". On May 13, the Union presented grievances protesting the discharges of both Sims and McKinnon. A copy of Sims' grievance is attached hereto as Exhibit "B". Sims' case also proceeded to the Appeal Board.

On May 26, 1970, a tragic accident occurred at the plant. This was at a time when the grievances of the nine discharges, including Sims and McKinnon, were still in the

grievance procedure. A lift truck accidentally tipped over, killing the driver, Gary Thompson.

About 24 hours later, at approximately 5:15 A.M. on May 27, pickets appeared at all the plant's gates carrying signs such as, "Death drives a jitney", "I am afraid to work, are you", "Chrysler Corp. Murder, Inc.", and "Eldon kills, will you be next." The pickets turned away many of the employees reporting for the first shift. They continued to picket during each change of shift on May 27 and for the first two shift changes on May 28. Some pickets were employees, some were former employees and others represented organizations such as Elrum (Eldon Revolutionary Union Movement), a black militant organization in the plant. The newly formed Eldon Workers' Safety Committee called the work stoppage (see the Safety Committee's Bulletins Nos. 3 and 4 dated May 27 and May 28, 1970 attached hereto as Exhibits "C" and "D", respectively, the undated Elrum leaflet attached hereto as Exhibit "E" and the "Eldon Wildcat", another militant publication, of May 28, 1970 attached hereto as Exhibit "F", which pickets distributed on May 27 or 28). Sims, a leading member of the Safety Committee, picketed and carried signs during each of the five shift changes when the pickets were at the gates (see photographs of Sims picketing the main gate on May 27, attached hereto as

Exhibits "G" and "H"). In addition to Sims, three other union officials, whom Chrysler had discharged on May 1, and had not yet reinstated, participated in the picketing, but to a relatively minor degree compared with Sims' involvement. On May 28, Chrysler discharged four employees who actively, and in some cases violently, participated in the May 27 and May 28 picketing -- James Edwards, Alonzo Chandler, John Taylor and Robert McKee, who were the only organizers of the Eldon Workers' Safety Committee whom Chrysler had not already discharged.

Thereafter, the Appeal Board disposed of all the remaining seven grievances arising out of the May 1 discharges and also the grievance concerning McKinnon's discharge on May 6. In each case Chrysler reinstated the dischargees with loss of pay in varying amounts and penalties of record of 30 days' to six months' disciplinary layoffs, depending on the degree of the misconduct in each case.

On June 11, 1970, the four employees whom Chrysler discharged on May 28 filed with the National Labor Relations Board, Region 7, a charge (Case No. 7-CA-7999) alleging that Chrysler violated Section 8(a)(1) and (3) of the National Labor Relations Act, as amended, when it discharged them. The parties claimed that their activities on May 27 and 28 were protected activities under Section 502 of the Act which provides in part:

"nor shall the quitting of labor by an employee or employees in good faith because of abnormally dangerous conditions for work at the place of employment of such employee or employees be deemed a strike under this Act."

On September 8, 1970, after conducting an investigation, the Regional Director for Region 7 dismissed the charges. The discharges appealed his dismissal to the General Counsel of the Board.

The May 27 - 28 work stoppage, the third illegal stoppage within six weeks, caused the plant to suffer the loss of 5,984 manhours and the production of 2,174 axles. The three walkouts cost the plant a total of 59,390 manhours and 17,259 axles -- hardly the protection that Section (5) of the Production and Maintenance Agreement was intended to provide.

Additional facts appear in the Argument.

## ARGUMENT

Section (5) of the Chrysler - UAW National Production and Maintenance Agreement that expired on September 14, 1970 provides in part:

"The Union will not cause or permit its members to cause, nor will any member of the Union take part in, any sit-down, stay-in or slow-down in any plant of the Corporation, or any curtailment of work or restriction of production or interference with production of the Corporation. The Union will not cause or permit its members to cause nor will any member of the Union take part in any strike or stoppage of any of the Corporation's operations or picket any of the Corporation's plants or premises until all the grievance procedure as outlined in this agreement has been exhausted, and in no case over a matter on which the Appeal Board has power and authority to rule, and in no other case until the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, within sixty (60) days after receiving the Plant Manager's decision, has notified the Manager of Labor Relations of the Corporation in writing that it has authorized a strike, specifying the grievances that are involved in the proposed strike, and negotiations have continued for at least seven (7) separate days on which meetings have been held after the Corporation has received such notice."

Section (7) of the Agreement provides:

"The Corporation reserves the right to discipline any employee taking part in any violation of Section (5) of this agreement."

<sup>is (is)</sup> The Union, throughout the grievance procedure relating to Sims' grievance, as well as to all the other grievances protesting the discharges arising out of the walkouts in April and May, has never contended, nor can it, that the walkouts were other than a violation of Section (5).

None of the walkouts was in protest of unresolved grievances. The International never gave Chrysler the required notice for any of the three illegal walkouts. Clearly, when Chrysler discharged Sims for his leadership and participation in the May 1 - May 4 work stoppage, it was exercising the rights reserved to it under Section (7) of the Agreement.

The Appeal Board has long recognized the gravity of a violation of the no-strike provision. This is especially true when Union officials, such as Sims, are the leaders of and/or participants in breaches of that provision. We shall show that as an employee progresses to a position of Union leadership, his responsibility to guard the collective bargaining agreement between his Union and Management similarly increases. As Chairman of the Plant Shop Committee, Sims held an extremely responsible position, far greater than that of a Chief Steward or even a Committeeman. As Chairman of the Committee, Sims was fully familiar with the contractual grievance procedure and knew that the only proper method to protest any action that Chrysler had taken was to avail himself of it. As Impartial Chairman Wolff said as early as 1945 in a case sustaining the discharge of a mere-Steward for his actions in leading an illegal one-day work stoppage,

"As a responsible officer of the Union..., he should have at once invoked the grievance procedure, and announced he was doing so, and that there was no reason for him or anyone else to take other steps." (Appeal Board Case No. 96 at 7)

Sims, by his conduct on May 1, 2, 3 and 4, 1970, as did the Steward in the above-cited case, "offered himself as a subject for discipline by disregarding the orderly procedures established under the Contract." (Id. at 8)

In Appeal Board Case No. 495, Chairman Wolff, in dismissing a grievance protesting the discharge of a Steward who, like Sims, instead of utilizing the grievance procedure instigated a slowdown in retaliation for Chrysler's disciplining another employee, plainly fixed Sims' responsibility and that of any Union official:

"Not only is a Union official presumed to know the provisions of the Agreement, and especially those having to do with the grievance procedure, but he also has a duty to his Union as well as to the Company, to comply with the Agreement. If he does not do so, he cannot expect his constituents to do so. Even beyond this, if he acts in a manner directly contrary to that provided for by the Agreement, and knowledge of this action is communicated to his constituents, it may be reasonably expected that like acts on their part might follow as a consequence. It is natural and normal that many will go along with a leader even though his acts may be improper. This is a fact and a responsibility that must be recognized by, known to, and accepted by all leaders and officials. A leader must act with this in mind and when acting, realize the potentials of his acts." (at 30)



To the same effect, see Appeal Board Case No. 2058, where Chairman Wolff said:

"At the time of all of the afore-stated occurrences Rustin was a Plant Committeeman. He had been one since 1952. For three years prior thereto he had been a Chief Steward. After approximately eight years as a Union official he should have been, and undoubtedly was, entirely familiar with his obligations under the Agreement, with the responsibilities of the leadership to which he had been elected and had accepted, and with the fact that both what a Union official did and said and what he did not do and say would be given great weight by, and have considerable influence on, the thinking and action of his constituents." (at 59)

Sims did everything that he could to insure the effectiveness of the illegal walkout on May 1. He entered the plant and went from department to department exhorting employees to disregard their obligation under Section (5) of the Agreement and walk out. In the presence of his constituents he openly admitted that he, the Chairman of the Plant Shop Committee, advocated an unauthorized walkout. His picketing of the plant on May 2, 3 and 4 prevented employees from reporting to work. Sims failed miserably in his role as a responsible Union leader. Where the inaction of a Union official in failing to investigate a rumored work stoppage and his subsequent failure to attempt to prevent it constituted grounds for discharge (Appeal Board Case No. 906), there can be no doubt that Sims' flagrant incitement, endorsement and participation in a

four-day stoppage likewise constitutes more than sufficient grounds for discharge.

In Appeal Board Cases Nos. 4131 and 4132, the present Impartial Chairman sustained the disciplining of a Chief Steward and a Committeeman who failed to take affirmative measures to prevent a work stoppage totaling a few minutes. The Chairman, however, modified the discipline because the two Union officials did not give

"affirmative leadership or encouragement to the...interference with production, which the evidence shows was not a serious one in terms of physical or monetary loss." (emphasis in original) (at 11 and 12).

Sims' participation in the illegal walkout was by far the most extensive of any Union official. He affirmatively placed his position as Shop Committee Chairman squarely behind the stoppage which cost the plant 29,502 lost manhours and 6,900 lost axles, a most substantial loss in any circumstance.

The courts, arbitrators and the National Labor Relations Board have long recognized that employees may not, with impunity, engage in strikes in violation of a contractual commitment not to do so. See, e.g., United Biscuit Co. v. NLRB, 128 F.2d 771 (7th Cir. 1942); Lancaster Foundry Corp., 75 NLRB 255 (1947); and Copperweld Steel Co., 75 NLRB 188 (1947).

Time and time again, arbitrators have sustained a company's disciplinary action against employees participating in an illegal walkout in contravention of a no-strike provision. Arbitrators are most prone to sustain the severest discipline against union officials who, as Sims in this case, played prominent roles in the walkout. See, e.g., Acme Boot Co., 52 LA 1047 (1967) (Oppenheim) and United Parcel Service, Inc., 47 LA 1100 (1966), where Arbitrator Schmertz stated:

"If there is one principle that is universally recognized in the field of industrial relations, it is that shop stewards have the highest duty to faithfully adhere to all of the provisions of the Collective Bargaining Agreement and to actively instruct each employee to do so as well. While it is improper for an ordinary employee to deliberately breach the Agreement, a similar act by a shop steward is untenable and grounds for his discharge. It is the obligation of the steward to set an example for all Union members within his jurisdiction by demonstrating his loyalty to the terms and conditions of the contract negotiated by his Union with the Employer...." (Emphasis added.) (at 1100)

Even as among union officials violating a no-strike clause, the overwhelming majority of arbitrators holds that a company may more severely discipline those officials who take a more active role than others in carrying on the strike and who therefore bear more responsibility for it. See, e.g., Carborundum Co., 50 LA 77 (1968) (Kates); Kaiser Steel Corp., 48 LA 855 (1967) (Roberts); Union Carbide Corp., 46 LA 265 (1965) (Teple); Phillips Industries, Inc.,

45 LA 943 (1965) (Stouffer); Bell Bakeries, Division of Ward Foods, Inc., 43 LA 608 (1964) (Dworet); General American Transportation Corp., 42 LA 142 (1964) (Pollock); Mack Trucks, Inc., 41 LA 1240 (1964) (Wallen); Ford Motor Co., 41 LA 609 (1963) (Platt); and McGraw-Edison Co., Albion Div., 62-3 ARB. para. 8775 (1962) (Howlett).

Chrysler's investigation of the May 1 - 4 strike revealed that Sims was the only Committeeman directly involved. No Union Officers, to Chrysler's knowledge, participated in or supported the strike. To the contrary, the May 6 "Eldon Wildcat", a copy of which is attached hereto as Exhibit "I", accuses the Union's President of selling out his membership by urging that the strikers return to work. While the investigation revealed that some of the Stewards discharged on May 1 did participate, their participation was nowhere as sustained or as effective as was Sims'. Moreover, as a member of the Plant Shop Committee -- indeed its Chairman -- it is irrefutable that Sims' responsibility is far greater than that of any other official.

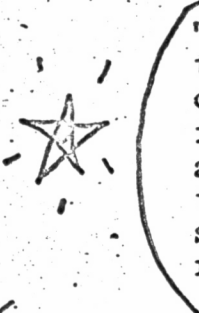
Arbitrator Kates, in Carborundum Co., supra, stated the general principle that arbitrators apply in situations such as the one presently before the Chairman:

"In determining degrees of misconduct the employer is required merely to make good faith classifications of misconduct and judgments of guilt based upon the evidence available to it which it considers will be sufficient to support its decisions in case of challenge.

"The controlling element is not the actual conduct of the persons disciplined as compared with those not similarly disciplined, but rather the conduct known to the employer which it believes in good faith can be supported by sufficient evidence in case of contest.

"Guilty persons often escape punishment because their guilt either is unknown or cannot be proved. This fact may not be relied upon by proven miscreants to escape their own deserved punishment." (at 720)

Arbitrator Platt, in Ford Motor Co., supra, applied the same principle:

 "True, [the Local Union President] was the only one among the Local Union officials discharged. But the reason is plain. There is no evidence that any other Local representative played the same or as important a role in the strike as did he or was equally disregarding of his obligations." (at 3411)

Arbitrator Platt makes it very clear in Ford that it is only where a company distinguishes among participants in an illegal strike based on grounds that are "irrational, arbitrary or whimsical", that such distinction becomes unjust.

Arbitrator Roberts in Kaiser Steel Corp., supra, also recognized this principle and sustained the discharge of the Chairman of the Grievance Committee who, like Sims, had 20 years of service with the company, because of his greater and more culpable role in the illegal strike.

Sims for more than 20 years had been a member of the bargaining unit in the plant, and, as such, was thoroughly familiar with the no-strike clause contained in all contracts in effect between the International Union and Chrysler since

the date of his hire. However, Sims was more than just a member of the unit. He was a Chief Steward from January 1, 1966 to June 30, 1967. He became a Committeeman on June 30, 1967 and, since mid-1968, has been the Committee's Chairman. There is no possible excuse for Sims, or the Union, for his acting the way he did on May 1 through May 4 in taking part in one of the most blatant and costly wildcat strikes in Chrysler's history.

Sims' reaction to the death of Gary Thompson very vividly demonstrates his complete lack of responsibility and his propensity for striking and picketing. Rather than turning to the bargaining table, where his discharge grievance was then pending, Sims again turned to the street in an illegal picket line. As during the May 1 - 4 stoppage, Sims again on May 27 and May 28 chose disorder and discord over legal procedures.

On August 12, 1970, Sims was passing out Elrum literature at the main gate asking that the plant employees vote against a recent local settlement. Labor Relations Representative Ector and Sims engaged in a conversation. Sims referred to the recent shooting and killing by a deranged employee of three persons in the plant, and stated that there would be no problems at the plant had it been Ector, Polsgrove and Hafner who had been shot. Then, Sims threatened, "Your day is coming."

In assessing the penalty of discharge that Chrysler imposed on Sims, and any question of reinstatement that may arise, the Impartial Chairman ought to take into account Sims' conduct on May 27 and 28 and his threat to Ector on August 12. Southern Bell Telephone Co., 22 LA 501 (1954) (Ralston); Publishers' Assn. of New York City, 36 LA 706 (1961) (Seitz).

The Union in this proceeding is asking the Impartial Chairman to reinstate an employee whom Chrysler properly discharged on May 6 and, whom Chrysler would have properly discharged on May 28 and August 12 if he had not already been discharged. This the Chairman clearly should not do. Sims' reinstatement would be like placing a time bomb in the plant. Chrysler, and for that matter the Union membership, would be living with the constant uncertainty of when Sims will next explode and institute an illegal strike or other illegal activity.

#### CONCLUSION

For all the foregoing, the Impartial Chairman should deny the grievance in all respects.

Letter of protest 5/8/70

The Union is protesting the discharge of J. U. Sims of dept. 27 badge #3779.

J. U. Sims was discharged on 5/6/70 for allegedly participating in a Leadership Role in a work stoppage on 5-1-2-3-4-70

The Union contends that management is responsible for the work stoppage of 4-16-70  
as for 5-1-2-3-4-70.

We therefore request that J. U. Sims be reinstated and made whole.

Charles M. Thornton p.d.c.

5/8/70



No. 70-403\*

DISTRICT 2

PRESENTED BY: ACT. PLANT COMMITTEEMAN X  
CHIEF STEWARD \_\_\_\_\_  
INDIVIDUAL \_\_\_\_\_

DEPARTMENT 71



DATE PRESENTED 5/13/70

NATURE OF GRIEVANCE "Unjust Discharge"

On Wed. 5/13/70, a Disposition relative to the Protest (Letter) presented by the Union, in behalf of Employee J. U. Simio B.# 27-3779, Sen. - 4/24/48 Class #1956, a Plant Shop Committeeman, was received and the Union's request of reinstatement and made whole was denied on the part of Mr. C. E. Robinson (Labor Relations Supv.) allegedly for violation Sect. #5, P.M. Agreement, dated Nov. 10, 1967...

The Union's investigation finds that management did wilfully provoke and manufacture unbearable conditions which stimulated the labor unrest being ~~\_\_\_\_\_~~ alleged on the part of management for a work stoppage, in violation of Section #5, P.M. Agreement, dated - Nov. 10, 1967. The Union contends and maintain that management is totally aware of management being the sole party responsible for the work stoppage. Therefore the Union requests the immediate reinstatement of employee J. U. Simio, and that he be made whole...

Division Plant Committeeman

Employee's Signature

#/colu:2051-cio

Howard J. Willis  
Act. Plant Shop Committeeman