

# DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 3 OF 16

FOLDER 20

EWSC DISMISSAL NLRB  
APPEAL CASE 7 CA 7999  
SUMMARY REPORT

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Re: Chrysler Corporation  
Case No. 7-CA-7999

The charge alleges that John Taylor, Alonzo Chandler, Robert McKee and James Edwards were unlawfully discharged in violation of Section 8(a) (1) and (3) of the Act.

Investigation disclosed that these four individuals picketed and handbilled the Employer's Eldon Avenue Gear and Axle plant on May 25 and 26, 1970, in protest of unsafe safety conditions allegedly existant at the plant. Two of the listed pickets withheld their employment services by the picketing, and investigation disclosed that the purpose of the picketing was to encourage other employees from withholding their employment services in protest of the safety conditions.

Section 5 of the National Production and Maintenance Collective Bargaining Agreement between the Employer and the UAW prohibits, inter alia, strikes, work stoppages, and picketing of the Employer's plants until and unless certain prerequisites have been met. The investigation disclosed that these conditions precedents have not been met. Thus, the contractual grievance procedure had not been exhausted, authorization of strike action and notice thereof had not been given, and the necessary negotiations subsequent to this notice had not been held.

Thus, the conduct of the four named individuals was in clear violation of the no-strike clause and would normally constitute conduct that is not protected by the Act. The Charging Parties, however, allege that the conduct they engaged in is protected because their activity was not a "strike" because its purpose was to protest abnormally dangerous work conditions at the Eldon Avenue plant. Investigation disclosed however, that while the safety conditions were not of maximal quality, neither were they abnormally dangerous. The plant's safety record, on a statistical basis, could not be considered to be substandard. While the Charging Parties allege that a number of fatalities have occurred in recent years as a result of abnormally dangerous working conditions, investigation disclosed that only one of these deaths was related to plant conditions.

In summary, it was felt that the evidence was insufficient to establish that the safety conditions of the Eldon Avenue plant, which employs several thousand employees and engages in heavy fabricating and machinery work, were of such a nature as to justify a finding that the conduct of the Charging Parties was protected by Sections 8(a) (1), (3) and Section 502 of the Act.