

DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 3 OF 16

FOLDER 23

EWSC DISMISSAL HEARING
NOTES 1971

The activities of the Eldon Workers Safety Committee were undertaken under the advice of competent counsel, Michael Adelman and Ronald Glotta^{now}, 1529 Broadway
Detroit 48226, 964-1190. Their advice was that Section 502 of the National Labor Relations Act would provide legal protection for the sort of informational and educational program we planned. The Section states that an employee, or a group of employees who have "good faith belief in abnormally dangerous working conditions" do not have to work under those conditions, and such a "good faith" refusal does not constitute a "strike". Therefore, an injunction could not be issued, nor should it, since there is no

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strike to issue against. Furthermore, we were advised that a Federal statute will always supersede a contract, or a portion of a contract, negotiated under that statute. We were advised, in other words, that since the N.L.R.A. authorizes contract negotiations, and in fact the Chrysler - U.A.W. contract was negotiated under ^{the} authority of that statute, Section 502 was entitled to precedence over the "No Strike" clause.

I acted at all times on a "good faith belief" basis. This can be proven by an examination of the contents of the 1st two E.W.S.C. leaflets, and a comparison of them with E.W.S.C. leaflets #3 & #4, written by

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members of the League of Revolutionary Black Workers.

The first two leaflets, which I wrote, contain strongly ~~over~~ emphasized statements concerning Section 502 and its meaning. They also contain highly specific, well documented instances of safety hazards in the plant. I should add that this information was obtained from several stewards and a fellow workers ~~is~~ ~~in~~ in several depts. We were strongly advised by counsel to not use terms such as "strike", "work stoppage", etc. Therefore, they do not appear in leaflets #1 and #2.

By contrast, leaflets #3 and #4, written by members of the League, contain the

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words "work stoppage", make no specific statements [machine numbers, dept. numbers, etc.] about safety hazards, and make only minimal mention of Section 502 and its doctrine.

We were also strongly advised against violence in any of our activities. Although strongly provoked, I committed no acts of violence. During the 3rd shift informational picketing on, I believe, May 20, 1970, a supervisor's car entered the West Gate and moved toward the management parking lot. My brother, Thomas Taylor, and I were marching next to each other as the car entered the driveway. My brother and I were separated by the car, and began backing ~~away~~ slowly away from it. Suddenly, in a manner

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I consider deliberate, or at best grossly negligent, the car lurched forward and the left front fender struck my brother in the stomach. ^{Momentarily angry,} ~~Seized with blind rage~~ ~~[How would you have felt?]~~ I ran around the back of the car and tried to open the door on the drivers side. ~~§~~ However, the door was locked and I quickly gave up, especially after noting my brother was all right. By this time J.U. Sims and a lawyer from the National Lawyer's Guild were on the scene and finished "cooling me off".

The violence allegedly perpetrated by other members of the E.W.S.C. can only be described as undisciplined adventures, along with the improper use

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of the terms "strike" etc. I didn't participate in them.

The use of signatures on leaflets #3 and #4 was also unauthorized. I objected each time to the use of my name, as did J. U. Sims.

Another indication of "good faith" in the E. W. S. C. program was the use of lawyers at all gates on all shifts to help assure a non-violent, disciplined action.

Overall, the project was conceived and carried out in a completely legal manner. And surely it cannot be seriously asserted that a program such as this one, operating under the "umbrella" of a Federal statute, was operating "outside

the system." How much more "inside the system" can you get than a "Federal statute?"

Events subsequent to those of May 27 and 28, 1970 have objectively vindicated the E.W.S.C. program. I am referring to the following:

- 1) The U.A.W.'s inspection of the plant reported in Lloyd Utter's June 4, 1970 report.
- 2) The August, 1970 Memorandum of Understanding which contains ~~an~~ an admission by Chrysler that things are not what they should be in the Eldon safety program, a list of over 150 separate safety and housekeeping items to be corrected by Oct. 1, 1970, and a massive realignment of janitorial forces for housekeeping purposes.
- 3) The admission by the local Union in ~~the~~ the June 1970 Criterion that the conditions that caused Gary Thompson's death had been grieved many times without success.

- 4) Lloyd's Utter's November, 1970 inspection of the plant which revealed many safety and good housekeeping violations.
- 5) The passage into law in Dec. 1970 of the Occupational Health and Safety Act whose preamble:
 - a) asserts the importance of on the job safety and
 - b) states that employees and employers have an equal responsibility in this area.
- 6) The Jan. 1971 inspection of Eldon by the Michigan Dept. of Labor which revealed numerous safety violations.
- 7) Judge Colista's opinion in the Fred Holsey Civil Rights Case which condemned the Eldon safety program as "abominable", among other things.

In conclusion, the E.W.S.C. program was legal, carried out in complete good faith and discipline, and has been objectively vindicated and justified by subsequent events.

11/27/71

Re: Grievance

(1) Check out details of Rose Hogan's death.
Baltimore; Hughes(?) Schmidt(?)
NB: letter re: John case

2) Need Testimony re: jitney grievances

3) June 1970 Criterion - exhibit

4) August 1970 Local K - exhibit

11/30/71

Chrysler Witness
#1

Del Williams
Capt. Plt. Prot.
Eldon Axle

Plt. Prot. 23 yrs. Identifies pictures made by himself and ^{Eldon} Educ. Director. ^{Tim} Palmer 2⁰⁰ P.M.
1) D.T. & Sims - "M" - West Gate, 5/28/71 ~~X~~ N.B.
2) General Baker - "N" - East Gate, 5/28/70
3) J.T. - "O" -
4) D.T. & Sims - "P" - same as "M"
5) Edwards - "Q" - 5/28/70, a.m., Jordan Gate.

Direct

Present 5/27 & 5/28. Several people at 3 gates carrying signs - walking back & forth. Observed conversations with e/ee's coming to work. Some went home, others went in. Has seen 3-4 other wildcat strikes - No diff. between our thing & other strikes. All pictures made at Plant Gates

Cross

all e/ee's did not strike at Outer Drive in 1968; "don't recall" if all stayed out during 5/1 - 5/4 Eldon Wildcat; thinks "a few" maintenance people came in; doesn't know if majority of people came in 5/27; knows G. Baker not an e/ee of Chrysler; doesn't know if there were pickets 5/28/71; knows G. Baker by talking to him around plants & "from meetings"; no other signs pictured; took pictures at gate he was at.

11/30/71

Re-direct

"R" - J.U., D.R. & T.T. - West Gate. 5/27/71
 "S" - Unidentified persons - 5/27/71, Jordan
 "T" - J.T., gate unknown, 5/27/71, (gate)

Chrysler Witness
 #2

Carl Polsgrove
 Lab. Rel. Super.

Labor Rel. in 5/70. Witnessed 5/27 & 5/28 activities at gates. Saw various people with signs walking in front of gates & talking to e/ees - some went home, some went in to work. Recognizes the pictures; saw e/ees trying to come to work, turn around & go home; saw grievants - JT - carrying sign; RM - passing leaflets; JE @ bullhorn telling folks. CP was a murderer, etc. 10 yrs. in Labor Rel. Has witnessed "several" wildcat strikes; felt 5/27 & 5/28 was same as other wildcats; ~~and the behavior of the~~ looked "same to him", recognizes Gen'l. Baker. in "N"; General not a Chrysler e/ee; GB pointed out to him several times; served a restraining order on him;

TM: "N" & "S" offered to show there were outsiders. GA: irrelevant & maybe prejudicial.

CP ^{submitted} "Prod. Interrupting Report" to H.P. PIR a routine form. CP filed it. Definite loss of production.

How much? *

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JC & RF
Cross & CP

Did not lose "total" production 5/1 & 5/4. Doesn't have P.I.R. report, but greater loss of production. Diff. in degree only from 5/29/70. Normal absentee 8%-9%. Normal absentee 5/28/70 on 2nd shift. No P.I.R. if prod. lost because of absentee.

GA Cross: 2,174 axles lost. CP doesn't know how this would break down by shifts.

Chrysler Witness #3
Eugene O'Neill

Eugene Robert O'Neill
Lab. Rel. Rep. Huber Complex

Same position in 5/70. Witnessed 5/27 & 5/28 events. Re: Co. Exhibit "C" - ELIUM SPEAKS - "Afternoon Shift Workers" - Got a copy of leaflet 5/28/71 at East Gate. Talked to A.C., R.M. & S. Hyman. Got a copy from R.M. Leaflet passed to other e/ecs.

Not Crossed by J.C.

GA: saw A.C. & R.M. handing it out. along with Sonny H. Observed about 2 hrs. No signs.

Cross

Certain he was at East Gate & it was a 2 page stapled leaflet. Actually only a 1 page leaflet.

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11/30/91

Chrysler Witness
#4

Walter Ector
Lab. Rel. Rep. - Eldon

Same position in 5/70. Witnessed 5/27 + 5/28 action. 6/2/70 statement. 5/27/91 1:45 p.m. A.C. at Jordan Gate physically blocking sidewalk & stopping e/c's. A.C. quoted "shouting slogans & also as talking to e/c's and their going home. Same 5/27/70 p.m. at Jordan Gate. "Plant is closed down."

Objection: no prior mention of this statement. Procedure is full discovery at Appeal Bd. level.

Cross: saw numerous unidentified people with signs; Saw AC ^{Don't remember what she said.} with a sign. Saw JE with a bull horn.

Stutant 5/27/70 A.W. Ector. 1:45 p.m. J.E. at Jordan blocking sidewalk. Using bullhorn "No work today", "go home, brothers & sisters", Continued activities until 3:15 p.m. Stutant is Company exhibit "U"

Cross: observed many folks not coming to work. Did not report their names or make statements about them. Doesn't know who took photos. 10-20 folks at gate. Could only identify A.C. & J.E.

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11/30/71

Union Witness
#1

Lloyd Utter

Safety Director, U.I.W. (23 yrs)

Direct

Inspected safety conditions at Eldon several times. "G" - Inspection 5/26/70. Emergency call after Thompson's death. Hi-Lo in poor condition, work procedures bad; Suggested better way of disposing of scrap. Never seen Hi-Lo's in worse condition than what he found at Eldon. Used before in proper shop - improper brakes, steering & transmissions. Majority unsafe. Saw 15-20 trucks. Walking through plant observed many unsafe conditions.

Week later: "not a typical Chrysler plant" Housekeeping very poor. Complete disregard for well-known safety practices. Puts blame on Dagenais. Feels Corp. safety officials would not have permitted this. Rates Eldon "worst Chrysler plant." Other corps. have bad plants too. Denies Eldon is one of the best in Chrysler chain. Good co-op. previously with top Chrysler safety people.

Cross

Utter's letters same as submitted in Sims case. Inspects plants sometimes at request of local Unions. Prior to GT's death had not been asked to inspect Eldon. Visits Parts plants too and inspects them. Had inspected Eldon several years prior.

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GA: Utter's report had nothing to do with
lost time accidents; physical observations
only; didn't have access to lost time
figures.

Union Witness

Ronald Glotta

#2

Cross: doesn't recall who called firm. MA took
the call; Chrysler does not follow the
law at all times. Discussed Rose Logan
& M. Williams with Committee members.

Discuss Sect 5 of K with us. Discussed
remedies with us under the K. Couldn't use
em 'cos

- 1) many grievances ignored
- 2) no regs. to file em.
- 3) procedure ~~was~~ overloaded

Didn't know none of us reported for work
5/28/70. Knew we didn't work 5/27/71.

Tim: claims RG's testimony is irrelevant. Says
we should file a mal-practice suit against
RG.

9:30 Tomorrow.