

# DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 4 OF 16

FOLDER 12

UAW LOCAL 961 ELECTIONS

JAN 1972 RUN-OFF SIMS

PROTEST TO USDL

UNITED STATES DEPARTMENT OF LABOR

In Re: JORDAN U. SIMS,

and

LOCAL 961, U.A.W.

and

INTERNATIONAL U.A.W.

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COMPLAINT CONCERNING JANUARY 11 and  
12, 1972 LOCAL 961 UAW RUN-OFF ELECTION

January 11 and 12, 1972 another Run-Off Election was held at Local 961, UAW-C.I.O. Once again the International Union and the Local Union failed to conduct the election in accordance with the International Constitution, Local By-Laws and Federal Law. Once again, there were many irregularities in the election process, all of which, individually and collectively, affected the outcome of an extremely close election, which was lost by the margin of 23 votes out of 2,599 cast.

We Complain:

1. The Membership did not approve the January 11 and 12, 1972 date for the Run-Off Election imposed by officials of the International and Local Unions and by the United States Department of Labor. At the December 19, 1972 Membership Meeting of Local 961, demonstrably a legal meeting, the members present strongly supported a motion to reject the January 11 and 12 dates. The reason for this Membership action was to give all candidates a full and fair opportunity to campaign.

The Labor Department has followed the UAW lead and, in fact, has claimed responsibility for imposing a totally unsatisfactory and unfair election date in the Local 961 Membership ignoring, and indeed, ratifying the Union's obviously poor performance in conducting elections at <sup>Local</sup> 961.

A fair election requires an adequate amount of time to carry on a campaign. Jordan U. Sims was deprived of such an opportunity while his opponent, Frank McKinnon, had over six (6) months to campaign in the Union Hall and in the shop, an opportunity he used to the fullest extent.

2. Jordan U. Sims (and the Membership) did not receive sufficient or proper notice of the election. The letter, signed by Frank McKinnon giving notice of the election, was dated January 5, 1972. The envelope is postmarked January 6, 1972 and notice was received by Jordan Sims on January 7, 1972. (Copies of the envelope and the January 5, 1972 letter are attached as Exhibit #1). Four days notice of an election does not satisfy, and is completely violative of the fifteen day notice requirements of the UAW Constitution (Article 38, Section 10(d)) and the Landrum-Griffith Act [Sect. 401(e)].

The confusion and dissatisfaction caused by the insufficient notice of election caused many Members to boycott the election, and resulted in others simply not voting. Jordan U. Sims had far from sufficient time to campaign and again, his opponent Frank McKinnon had the better part of a year to carry on his election campaign.

3) Frank McKinnon's campaign was shot through with improper and illegal use of Local Union funds and facilities. Substantial amounts of the Local's funds were used to buy tickets for Local leaders to a football game, and to send selected groups of persons to the International Union Education Center at Black Lake. Parties were thrown for the members and the leadership in the Local Hall at which large amounts of beer and whiskey were consumed. Frank McKinnon also used his position

of Acting President to insure that his name and picture appeared prominently and numerously in the Local publication. McKinnon's use of large amounts of the Local Union's resources in his campaign obviously placed Jordon Sims in a position of disadvantage.

4) The employer, Chrysler Corporation, was in active and sometimes overt collusion with McKinnon against Sims. Members were harrassed inside the plant and threatened with discharge for "distribution of unauthorized literature" when they distributed leaflets and a petition protesting the manner in which the second Run-Off Election was established and being conducted by the International and Local unions. It was made clear by management that authority for such literature must come from the Union Hall, i.e. Frank McKinnon. In addition, it appears that Chrysler Corporation laid off several hundred employees in contemplation of the January 11 and 12 election, in an attempt to deprive Jordan Sims of the votes of these mostly young, mostly black workers. It also appears that many of these workers are now being called back to work now that the election is over, giving the further appearance of improper and illegal management intrusion into local union affairs.

5) The Election Committee's card file of eligible boters was incomplete causing further delay and confusion in the voting process and apparently causing members to "give up" and go home without voting. This discrepancy also makes more difficult the task of cross checking the votes cast with the number of voters designated as eligible. A later election date, as demanded by the Membership on December 17, 1971, would have given the union time to complete the card file and avoid confusion.

6) Jordan U. Sims has not received his copies of the local publication for over a year even though it is required to be mailed to all members. He, therefore, has been deprived of



this important source of information regarding the local's activities.

7) George Merrelli, the Regional Director, was instructed by the International Union to "guide and assist" the local Election Committee in conducting the election. Instead, he dominated the Committee and dictated the manner in which the election was conducted.

8) Frank McKinnon improperly dominated and manipulated the Election Committee, placing his own supporters on it as alternates, contrary to local By-Laws, and refused to allow the Committee to meet regularly as necessary to properly plan the election.

9) The entire concept of a New Run-off Election is improper under the U.A.W. Constitution and obviously repugnant to the Membership. December 9, 1971 a Petition of Protest and Appeal carrying over 1,000 signatures was presented and acknowledged by the International President. This Petition rejected the New Run-Off and instead demanded that the ballots which were improperly challenged and not counted in the May 1971 elections be counted, or alternatively that a new General Election be held. A motion to the same effect was moved and overwhelmingly supported by the Membership at the December 19, 1971 Membership Meeting. When the Membership rejected the report of the Election Committee in June, 1971 it did so because of the challenged ballots. The Membership wanted the ballots counted then; it obviously has not changed its opinion. It seems more than a little strange that so much time and money has been spent by all concerned to hold a New Run-Off Election when the entire matter could have been resolved in a few hours in June, 1971 by simply opening and counting the challenged ballots.

The Relief Demanded Is:


1) Open and count the ballots which were improperly challenged in May, 1971. This would rectify a situation which has been confused and obfuscated from the beginning and would require little time, and effort. So far no explanation has been given by anyone as to why these ballots have not been opened and counted.

2) Hold a new General Election since all candidates in the May, 1971 elections were affected by the question of the challenged ballots. This would afford all candidates a fair election which was the Members' intent in June, 1971 when they rejected the Election Committee report.

3) Hold a new Run-Off Election between Jordan Sims and Frank McKinnon only since only Sims has complained to the Labor Department.

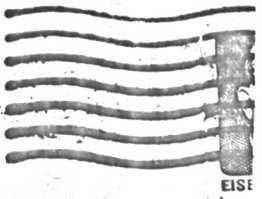
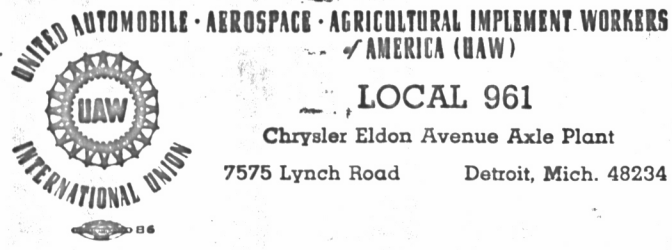
4) The Labor Department should conduct a complete and thorough audit of the results of the January 11 and 12, 1972 Run-Off Election.

GLOTTA, ADELMAN & DINGES

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Dated: January 27, 1972.

Complainant's  
Exhibit  
#1



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