

October 29, 1973

Mr. L. J. Shackelford, Jr.
International Vice President
Brotherhood of Sleeping Car Porters
431 S. Dearborn St., Suite 1224
Chicago, Illinois 60605

Mr. L. H. Greene, Jr.
Eastern Zone Supervisor
Brotherhood of Sleeping Car Porters
103 E. 125th St., Suite 610
New York, New York 10035

Mr. W. W. Seymour, Sr.
International Secretary-treasurer
Brotherhood of Sleeping Car Porters
5253 Thrill Place
Denver, Colorado 80207

Dear Brothers:

I hasten to report to you on my trip to the Convention, that is the part concerning us, the Hotel&Restaurant Employees Union and Amtrak, which really is the only thing to report anyway, since the convention was just a routine convention with no one making any controversial speech and no contested election.

Tom Donahue, Meany's administrative assistant, arranged a conference with me and the General President of the Hotel&Restaurant Employees Union in Donahue's convention office a week ago today. Donahue had turned over copies of all correspondence between himself and me to General President Edward T. Hanley. I explained to Hanley what had transpired, and told him quite frankly, that I was very disappointed in Dick Smith signing an agreement granting him Consent Recognition over a class of employees with the full knowledge that he represented less than 10%, and that our Organization represented about 80% on a national basis. I told him I was inclined to believe, that there was really what could be described as conspiracy between Amtrak and Dick Smith, which if successful would be the end of our Organization,

December 18, 1973

Mr. Tom Donahue
Assistant to President Meany
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Brother Donahue:

International Vice President Shackelford, Chicago, fell down some stairs on Sunday, December 2nd, which resulted in a broken elbow and fractured collar bone, and is still confined to his home. Richard Smith, Hotel&Restaurant Employees Union, returned to Chicago Wednesday afternoon from Hawaii where he attended the meeting of the International Executive Board of his union, and learning of Shackelford's accident called him at home. He told Shackelford he wanted to talk with him when he felt better, because he wanted to work out something, if possible, whereby they would keep the Coach Attendants who were formerly with the Burlington Northern.

Yesterday, Smith called Shackelford again, and told Shackelford to ask me to call him after he got home last night, which I did. Smith told me, that Hanley wasn't certain of what he said to me in the conference in Miami on October 22nd, but Smith said Hanley told him to see if he couldn't get together with me and try to work this thing out. Smith wanted to see if something could be worked out, whereby they would keep the ninety-nine dining car men that had been in our organization, and also keep the former Burlington Northern Coach Porters, and now want the Illinois Central Gulf Porters. I told Smith, that this problem could not be solved unless they were

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prepared to take steps to change that SCOPE rule they have signed, and take the Chair and Coach Porters out of it. He then wanted to suggest, some kind of meeting with Hanley, and I told him, that if he was going to get hold of Hanley about this matter, that I would suggest for Hanley to get in touch with you, and ask you to setup a conference, calling in Attreed of the T.W.U., Hanley and myself, and see if we can agree on some kind of united front to stop Amtrak from trying to interfere with the right of representation of its employees and stop the Hotel & Restaurant Employees union from cooperating with Amtrak in that effort.

If something satisfactory is not done, I plan to write a formal charge the first week of January charging the Hotel&Restaurant Employees union with attempting to raid our Organization, and possibly working with Amtrak to that effect.

Faternally yours,

C. L. Dellums,
International President

CLD:cjr

CC : Mr. L. J. Shackelford
International Vice President, BSCP
Mr. W. W. Seymour, Sr.
International Secretary-Treasurer, BSCP

Certified Mail
Return Receipt Requested
No. 441538

November 7, 1973

Mr. Thomas R. Donahue
Assistant to President Meany
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Brother Donahue:

Enclosed you will find copy of letter I just sent to President Hanley, which is self-explanatory. Last Saturday, November 3rd, ten men representing the Hotel&Restaurant Employees & Bartenders International Union signed a working agreement, consisting of seventeen memographed double-spaced pages, and then Richard W. Smith's name is signed to an agreement representing the Hotel&Restaurant Employees & Bartenders International Union with the two representatives of Amtrak consisting of ten like pages, and provides for a union shop dues deduction. Further, Mr. A. R. Lowry, Director - Labor Relations for Amtrak addressed a letter to Mr. Richard Smith, confirming discussions during negotiations of the interim agreement to take care of employees of Amtrak after their C-1 protection expires. Further, another letter by Mr. Lowry to Mr. Smith, providing that effective January 1, 1974, that Amtrak will pay the 4% that all of the unions hold with the various railroads. And lastly, Mr. Lowry addressed another letter to Mr. Smith, agreeing to continue the investigation into the feasibility of their participation in hospital associations rather than the Travelers Insurance agreement, known as GA-23000. The three letters referred to are dated November 2nd, 1973. Now Mr. Donahue, I think you had better bring President Meany in on this personally, because in my judgement, the AFL-CIO now has a Teamster

Mr. Thomas R. Donahue
Page Two
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double cross and backdoor type of deal right on its front porch. Before we stake our case before the bar of Public opinion, I want to give the AFL-CIO every opportunity to get involved in this matter.

The union shop and dues deduction agreement is the most serious of all, because as fast as Amtrak takes over these employees, and they plan to take them over from every one of the Amtrak railroads by January 1st, the union shop agreement will force our members to join the Hotel&Restaurant Employees & Bartenders International Union or be discharged. I don't think the Teamster's agreement goes that far, but I don't see how it could possibly go any further. President Meany should demand of President Hanley to repudiate his representatives signing an agreement as representing a class of employees that at the present time they do not represent twelve percent, and knowing that at the present time the Brotherhood of Sleeping Car Porters represent at least eighty percent.

President Hanley should repudiate the inclusion of our members in this agreement, and so notify Amtrak, and the Brotherhood of Sleeping Car Porters of his actions. President Hanley should order his men to take the necessary steps to take these Coach and Chair Car Porters out of their agreement, and support the Brotherhood of Sleeping Car Porters in its fight with Amtrak.

Obviously, time is of the essence, because beginning yesterday, they could force a group of our members to join their organization or be fired, and the others as fast as Amtrak employs them. Right at this minute Amtrak have men in Chicago interviewing Penn Central employees, because Amtrak is taking part of them over on or before the 15th of December. Amtrak have given the Seaboard Coast Line a December date for takeover, so you see action is needed and needed now.

Sincerely and Fraternally yours,

C. L. Dellums,
International President

CLD:cr

P.S. The Teamster type deal referred to above is the United Farm Workers - Teamster situation

No. 441538

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C. L. Lumsden

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3

Certified Mail
Return Receipt Requested
No. 441712

November 7, 1973

Mr. William Pollard
Civil Rights Department
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Bill:

I received the agreement you sent me, and I'm kind of puzzled. You told me on the telephone at least twice, that whenever these men brought up Chair Car Porters that you told them I represented Chair Car Porters, and they had to deal with me, because you weren't getting involved in any jurisdiction matter. And yet Bill, I see right on the ~~front~~ page of the agreement, in the scope rule, you have included Coach and Chair Car Porters, which means everything we have with the exception of between 450 and 500 Sleeping Car Porters. And, worse than that, you have a union shop and check-off agreement that can and will be used to force our members to join your organization or be fired. There must be something that I don't understand Bill, so will you please by return mail, not verbally over the telephone, tell me what it is that I'm missing and don't understand.


Sincerely and Fraternally yours,

C. L. Dellums,
International President

CLD:cr

No. 441712

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TO**

PS Form 3811 Nov. 1970 c55-16-91277-1

Brotherhood of Sleeping Car Porters
716-18 W. 14th St.
Oakland, Calif. 94607

Messrs. Shackelford, Seymour & Greene
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because we barely have enough members now to exist, and the group Dick signed for constituted over half of the small membership we have.

I had the original and the photocopy of Shack's letter under date of October 17th, so during the conference I asked Hanley to take time and read this letter that I had received since I had been down there from Vice President Shackelford, since there was nothing confidential in it. When he finished reading it his expressions and looks were quite obvious that he was pretty thoroughly disgusted with it. He told me that his organization was definitely not interested in anyone we represent, and he didn't intend for his organization to be used in anyway that would result in harm to our organization. He said he was going to investigate the matter, and I would hear from him, and we could count on that. Now this is what I think is a good summary of the conference, and I expect to hear from Hanley in due time. Incidentally, Hanley asked for a copy of Shack's letter dated the 17th, and I gave him the photocopy.

Hanley no doubt will take this matter up with Dick, and ofcourse Dick isn't going to like it, and it may result in the end of any attempt to cooperate together. So, I'm warning you brothers to be very careful what you say to Richard Smith or any of the dining car employees. If any of our men come to you about what they're hearing from their side look upon it as any criticism of us, just tell them they have been misinformed or they don't know the facts, and that they can rest assured that the Brotherhood is plenty busy on this matter, and that we're spending our time trying to protect their interests and not going around lying or popping off our mouths.

By the way, Hanley strongly indicated that he was going to contact Smith right away to see if he had already signed an interim agreement, and if he hadn't he was going to tell him not to sign anything that included anybody now represented by our Brotherhood. So, don't be surprised if they don't start spreading some more lies about us.

Faternally yours,

C. L. Dellums,
International President

CLD:cr

October 26, 1973

Mr. William Pollard
5747 27th Street, N. W.
Washington, D.C. 20015

Dear Bill:

Enclosed is copy of Protection Agreement that we negotiated with the Santa Fe. You will note ofcourse, that Dick went along with what I approved as an agreement, and therefore its joint. I plan to setup a conference with the Southern Pacific sometime during the week of November 4th and get as near this agreement as possible. Do you want to fly out here for the first conference, obviously it's going to take more than one conference, or would you want me to have them make it jointly, so that when it's ready to sign, I send it to you to sign? If it's done through you it would have to be in the name of your local just as your working agreement is. As soon as you can study this let me know what you want me to do.

Fraternally yours,

C. L. Dellums

CLD:cr
Enc.

October 11, 1973

Mr. William Pollard
5747 27th Street, N. W.
Washington, D. C. 20015

Dear Bill:

I didn't realize that we had run out of the old Pullman agreements, so I sent you mine. So, when you have no further use for it, I would like to have it back. When Pullman had these books printed they told us then, that they were so expensive that they were going to put each porter's name on one, and inform him that one was all they were going to get, so take care of it. They also asked us to minimize our office needs and give them those figures, because they didn't want to have any more printed than necessary.

Haven't received the Santa Fe takeover protection agreement yet, but I'm hoping to have it when I get back from the AFL-CIO Convention, because I want to get a similar agreement with the Southern Pacific sometime next month. If you can come out on a three or four day notice, I can arrange the S.P. conference to be jointly, and we can negotiate and sign such protection agreement jointly.

Sincerely yours,

C. L. Dellums,
International President

CLD:cr

September 28, 1973

Mr. Thomas R. Donahue
Executive Assistant to President Meany
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Brother Donahue:

Just as I was about to request that you see if you could setup a meeting with Mr. Richard Smith, Dining Car Employees, Mr. Attreed, T.W.U. and myself in Washington for the purpose of mapping out unity and strategy to be used by these three unions in dealing with Amtrak. Before I could get the letter off, I received notice that Mr. A. R. Lowry, Director-Labor Relations, Amtrak, would be in Oakland within a week, and wanted to confer with me while here. I met with Lowry and two other fellows from the Washington office on Monday. It was obvious that Lowry doesn't have the final say so in anything, but has to report back to Ken Housman. I got the idea that Housman may have to clear with somebody else, but at any rate, I don't think that they have weakened in their rigid position at all. Near the end of our conference all three of these fellows said they now understood our position, and would do all they could when they got back to Washington on Monday, October 1st, to try to convince their superiors to our point of view. I don't think they will be successful, and now that we are within three weeks of the Convention, I would like to recommend, that you notify all three of us that you would like to confer with us during the Convention, probably Saturday, October 20th, for the purpose as stated above.

I still believe that if the three of us map out strategy in your presence, and agree to stand firm, that we will have an excellent chance to stop Amtrak from carrying out their present policy. I have no doubt but that Amtrak intends to drive T.W.U. completely out of the railroad

Mr. Thomas R. Donahue
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union business. I also have no doubt, that Amtrak intends to destroy our union, and force our members into the Hotel&Restaurant Employees Union. If we can find some way for something to come from the International President of the Hotel&Restaurant Employees Union letting Amtrak know, that his union will not be used by Amtrak or anyone else in taking a single member from the Brotherhood of Sleeping Car Porters, which means certainly not to be used to destroy them, I think the Brotherhood's fight would be at least seventy-five percent won.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr

September 21, 1973

Mr. Richard W. Smith
International Vice President
Hotel&Restaurant Employees and
Bartenders International Union, AFL-CIO
743 East 75th Street
Chicago, Illinois 60619

Dear Sir and Brother:

When I spoke to you about giving some thought to a possible merger, I thought that I made it clear that I was thinking of something that could be put before your International President, whereby they would be willing to surrender jurisdiction over the Dining Car employees, so that they could merge with our Organization. You will recall, that I suggested a change in the name, something like the Brotherhood of Railroad Service Employees. You will also recall, that I stated, that I would be proud to step aside when the merger was completed and would support you as the International President.

Now, on the idea of seeking a charter with the Hotel&Restaurant Employees International; several national or international unions have approached us, because they had heard, that there was a possibility that we may not be able to maintain our identity. Some of them were railroad unions; some of which were affiliated with the C.R.U. and some with R.L.E.A.; some were not railroad unions, and at least one pointed out, that there was a precedent for a non-railroad union to represent railroad workers, by pointing out, that the Hotel&Restaurant Employees International Union is not a railroad union. Some of these unions have offered us some very good deals to merge into their Organization.

As you know Brother Smith, the Brotherhood of Sleeping Car Porters, founded by the venerable A. Philip Randolph, is the only national or international Union on this continent, that was successfully organized by

Mr. Richard W. Smith
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Negroes, controlled by Negroes, and with Negro leadership. The members of our Organization are very proud of that fact, and are urging me to do everything possible to maintain the identity of the Brotherhood, and definitely as a free and independent International Union. Incidentally, during the last eighteen months new men have been employed all over the country, and the majority of them are youngsters and Negroes. They are extremely race conscious, and they are very proud to become members of a union where they are in the majority, and therefore do not even anticipate white leadership. Obviously, they would not look with favor on merging into some other International union.

Knowing that the Hotel&Restaurant Employees International union has to subsidize the Dining Car setup was the only reason that I thought that if we could work out something, that meets their approval, that they maybe willing to go along with it, but apparently it wasn't a very good idea, and I guess there's nothing we can do but forget it.

Fraternally Yours,

C. L. Dellums,
International President

CLD:cr
CC : Mr. Edward T. Hanley

September 21, 1973

Mr. W. W. Seymour, Sr.
International Secretary-Treasurer
Brotherhood of Sleeping Car Porters
5253 Thrill Place
Denver, Colorado 80207

Dear Brother Seymour:

I'm enclosing a copy of letter just received today from Richard Smith, and a copy of my reply. I'm not sending it to anyone else, so this is just for your information. Ofcourse, I would appreciate your comments on it.

Now, in reference to yours of the 20th, received today, concerning the scrolls; the gold border and the sheepskin type of paper has always been available. It's the beautiful printing on the scroll is what we couldn't find anyone doing these days. I could get the scrolls printed and a better looking printing than ordinary printing and cheaper than the figures you cited, but it wouldn't look anything like the original so let's hold up for now on them.

I plan to write you Monday concerning the auditor, and a few other things I have on my desk to write you about.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr
Enc.

September 21, 1973

Mr. William Pollard
5747 - 27th Street, N. W.
Washington, D. C. 20015

Dear Bill:

I received a call first thing Monday morning, informing me that Lowry, Amtrak, was in Chicago and was in conference with Richard Smith, and that Lowry was coming on to Oakland and would see me then. Tuesday, I received a call from our Mr. Shackelford that Richard had just told him, that Lowry had presented him with an interim agreement, but that he, Smith, did not sign it, but took it under submission, and that Lowry would be in Oakland, coming by train, Thursday afternoon, and was going to present me the same agreement, with the exception of the front page. It is now 1 o'clock Friday, and I don't know whether Lowry is in town or not, because I haven't heard from him.

I thought I would send you the above information, because I thought you might like to know it. After this development, I thought I would wait and then contact Donahue later.

Please give my regards to Sister Pollard, and I'm looking forwards to seeing both of you again the next time I'm in Washington.

Sincerely yours,

C. L. Dellums,
International President

CLD:cr

September 5, 1973

Mr. Eugene Attreed, Vice President
Railroad Division
Transport Workers Union of America
1980 Broadway
New York, New York 10023

Dear Brother Attreed:

Enclosed you will find copy of letter that I've addressed to Congressman Don Edwards of California. I have addressed a similar letter to Senator Cranston, and I'm sending these letters, with a covering letter, to a number of other liberal Senators and Congressmen. I think we ought to give very serious consideration, particularly your Organization and ours to immediately seeking congressional action, because it is possible, that a ruling from the National Mediation Board could result in the death of our Union, and possibly driving yours off the railroads all together. I don't think a government agency should force us into any such situation. After due consideration, I would appreciate getting your views on this matter.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr

August 21, 1973

Mr. Thomas R. Donahue
Executive Assistant to President Meany
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D.C. 20006

Dear Brother Donahue:

Enclosed you will find letter received a few days ago from Attreed of the Transport Workers Union. Attreed, Dick Smith, L. H. Greene and myself, representing our Organization, met with Housman in the Amtrak offices on March 21st this year. We pointed out to Housman that the Burlington Northern had about 100 dining car employees, formerly Chicago, Burlington & Quincy employees, that had been represented by our Union for a number of years, and that when the four rails merged into the Burlington Northern that Smith's organization and ours negotiated and signed a joint agreement for Coach Porters and Dining Car employees, and that if the Burlington could live with such an agreement, so could Amtrak. It was pointed out to Housman that T.W.U. represented all of the dining car employees on, and possibly all of the Coach Porters, on the Penn Central, with the exception of a few that ran over the old New Haven division, and that group was represented by Smith's organization. Our position was, that these agreements could be negotiated by all of us, and would be joint on the properties where such representation existed. We stated that we were not interested in one another's members, but just our own, and that any new employees would go into the Union where they properly belonged. Housman told us, that no railroad would be taken over and nothing would be done until he got back in touch with the three of us. But ofcourse, Housman has never kept his word with us, and didn't this time.

In light of the above, if someone could talk with the International President of the Hotel & Restaurant Employees Union, and see if he would be willing to write a letter to Dick Smith, with a copy to Amtrak, telling

Mr. Thomas R. Donahue
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Dick to refuse to negotiate or sign an agreement with Amtrak, other than this agreement our three Unions made to one another on March 21, 1973. I think if Housman faced something like this coming from the International President, he may decide that it's not going to be possible for him to force all these service employees on passenger trains into one organization, and the organization of his choice. Housman intends to force the T.W.U. dining car and the other service employees not handling food and drink, as well as those on the Burlington Northern and all over the country into the Hotel&Restaurant Employees Union. When Housman realized that he might defeat himself if he included the Sleeping Car Porters, and I think it obvious that he decided to set them aside for now, knowing that the Brotherhood couldn't exist with only around 500 sleeping car porter members, and they may force these sleeping car men into the other organization, so that he could have his one organization to deal with, and one man to deal with. Housman has made this statement in my presence at least three times, but he usually confined it to one man to deal with, and not mention the organizations.

What do you think of this suggestion?

Fraternally yours,

C. L. Dellums,
International President

CLD:cr
CC : Mr. A. Philip Randolph

also copy of Attreed's letter sent to Chief

August 20, 1973

Mr. Eugene V. Attreed
Director-Railroad Division
International Vice President
Transport Workers Union of America
1980 Broadway
New York, New York 10023

Dear Brother Attreed:

I have your letter of August 15th, which was in reference to my communication under date of August 1st, regarding problems our two organizations are having with Amtrak.

I'm proud to learn, that you had been in touch with Dick Smith, and that he told you, that he would live up to the agreement our three organizations made when we were all together on March 21st, 1973. I got a tip that Dick had arranged a conference with Amtrak for Monday, May 14th at 2:00 PM. I got a hold of our Vice-President, Shackelford, in Chicago, and had him to fly down to Washington that Monday morning, and to go to the Executive House where Dick was stopping, and to tell Dick I sent him down there to go with him to attend this conference. Well, it turned out, that the conference for the afternoon of May 14th was not with Amtrak, but, in the National Carriers Conference offices with I believe, a majority of the Amtrak railroads, for the purpose of trying to work out a protection agreement for his members as Amtrak took them over. Dick knew that Amtrak was going to takeover the Burlington Northern and the Milwaukee first. In due time a joint agreement was worked out with the Burlington Northern covering Dick's members and ours, and shortly thereafter another one with the Milwaukee.

The Amtrak conference was for Tuesday, May 15th. When Shack and Dick got down there, after some discussion, Dick signed a Consent Recognition granting him representation of Coach Porters, as well as Dining Car Employees with the full knowledge, that Housman intended it to be national. He had an agreement there for me granting recognition over Sleeping Car

Mr. Eugene V. Attreed
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August 20, 1973

Porters. Both of these recognition letters had the same date (May 10th) and Dick had copies of both of them before he and Shack went down to Housman's office. When I questioned Dick about signing it, his only explanation was, he was under pressure from his Burlington men to get an agreement for them. Sometime after that, Dick sent letter to all of those Dining Car men, formerly Burlington men, that we represented, urging them to join his organization, based upon this recognition, and even telling them if they signed up they could be initiated on a certain date. I then wrote the Dining Car members of our Organization about this matter, in which I stated, that as of now, the only difference in Dick's organization and ours was, that we were not trying to raid them. I also wrote Dick and told him, that he should not have sent out such a letter, and he should not solicit anyone else's members until this entire matter is settled. He then instructed his people not to solicit any memberships from our members.

Incidentally, Dick subsequently wrote two letters to Lowry, copies of which are enclosed. Dick told me on the telephone when he was dictating the second letter, that he was confident Housman wasn't going to change, and ofcourse, as you know, Housman has no intention of changing.

We made it quite clear when we were together with Housman in March, as you will recall, that on the few roads where there existed joint representation, that our organizations would negotiate joint agreements, pointing out to him, that we held such an agreement with the Burlington Northern, and you will recall, that we pointed out also, that when he got to the Penn Central, that's where you would be in with a joint agreement with Dick, and finally, none of us were interested in one another's members, but to continue to represent the people we represent now. I'll always believe, that if the three of us had or even yet would stick together we could have, and probably still could beat Housman.

I'm unable to even get them into a conference, but as things develop I will certainly keep you informed.

Fraternally yours,

C. L. Dellums
International President

CLD:cr

August 1, 1973

Mr. Eugene Attreed, Vice President
Transport Workers Union of America
1980 Broadway
New York, New York 10023

Dear Brother Attreed:

As you may know, Amtrak is trying to force all on-board Service Personnel, with the exception of Sleeping Car Porters, into the Hotel and Restaurant Employees Union on a national basis. There is a class of service employees on the trains with more than one designation, such as Coach Porters, Chair Car Porters, Chair Car Attendants, Train Porters and Parlor Car Attendants. The Brotherhood of Sleeping Car Porters represents all of these employees on the Southern Pacific, Seaboard Coast Line, Chesapeake & Ohio, Southern Pacific (T&L Lines), Milwaukee, Denver & Rio Grande, Santa Fe and the Union Pacific. The Brotherhood also represents part of these employees on the Penn Central, Burlington Northern and the Illinois Central Gulf. This means that we represent about eighty percent of this class of employees, and yet Amtrak is trying to force them under the Hotel & Restaurant Employees Union, even though all they represent is about forty percent who are on the Burlington Northern.

I just had a call from George Leggee from Cleveland, United Transportation Union, and in the discussion he stated, that Amtrak had backed away from trying to force their dining car stewards into the Hotel & Restaurant Employees Union. Now I'm wondering, have they backed away from recognizing the Transport Workers Union's right to represent the people you now represent on the Penn Central. Would you be kind enough to let me know what's developed in this area.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr

Copy of letter
from Amtrak and
our questions
2 A Randolph also

July 20, 1973

Mr. Thomas R. Donahue
Executive Assistant to President Meany
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Brother Donahue:

I'm enclosing copy of letter Amtrak have been mailing out to Congressmen and Senators who have contacted them in connection with our problem. I think Amtrak's letter shows what they have in mind. When they takeover the next railroad, I'm pretty sure it will be one where we represent all of the Service employees not employed in dining cars, and then I will apply to the National Mediation Board for a determination.

I'm also enclosing some questions that I think ought to be put before the President of Amtrak, and urge that they answer these questions forthwith.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr
CC : Mr. A. Philip Randolph
Enclosures

July 13, 1973

Mr. Thomas R. Donahue
Executive Assistant to President Meany
American Federation of Labor and
Congress of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Brother Donahue:

We did have a tentative engagement to meet with Lowry in Chicago on the 17th, but Mr. Lowry notified Mr. Shackelford and Mr. Richard Smith, that he would not be able to confirm the appointment, because he was tied up with other matters, and would be in touch with us sometime after the 19th.

At the present time the pressure should be put on the President of Amtrak. They have been supplied with sufficient proof that at least eighty-five percent of the employees designated as either Coach Porters, Train Porters, Chair Car Attendants, Parlor Car and Lounge Attendants were originally organized by our Union and have never belonged to any other union. Therefore, there's no reason why Amtrak should not recognize our jurisdiction over these employees rather than attempting to place them under the jurisdiction of the Hotel&Restaurant Employees Union. I couldn't afford to take this to the National Mediation Board so long as only the Burlington Northern is involved, because that is the road, and the only road, where the Hotel&Restaurant Employees Union represents this class of employees. They represent approximately forty-three employees, and we represent approximately six hundred. When Amtrak takes over the very next road they will then face this question, because they will be interfering with our members, and I can then go to the National Mediation Board.

I think it interesting to note, that we represent the Dining Car employees formerly employed by the Burlington, and there is approximately one hundred of them, and yet Amtrak didn't attempt to say that that one hundred employees should give us jurisdiction over the dining car employees. I'm sure they knew if they had, I would have rejected it.

So please concentrate your efforts on the President of Amtrak, because the matter should be settled by Amtrak, and not have to go to the Mediation Board.

Fraternally,

C. L. Dellums,
International President

CLD:cr

July 19, 1973

Mr. L. J. Shackelford, Jr.
International Vice President
Brotherhood of Sleeping Car Porters
431 S. Dearborn St., Suite 1224
Chicago, Illinois 60605

Dear Brother Shackelford:

I received your letter enclosing copy of Richard Smith's open letter to former dining car employees about 10:30 yesterday, and at 5:15 yesterday, we air mailed enclosed letter to these ninety-eight men you included with your letter. Please feel free to give me any comments you may have on the letter.

I note you stated in your letter that "it has been suggested that we challenge Amtrak's action of granting consent recognition to the Dining Car Union for this group of employees." However, you did not actually say you were recommending it. Now Shack, I hope you brothers feel toward me as Web and I felt toward the Chief. We felt free to suggest, or recommend, or advise or strongly urge him to do anything or take any position that either of us or both of us felt like putting before the Chief. And, you know something, sometimes he actually did as we suggested, but I certainly never got angry or felt too bad if he didn't agree with my ideas. I knew time, if nothing else, would tell whether he should have complied with my recommendations or not, and I'm not at all embarrassed to say, that when he didn't carry out my ideas that time proved him to have the best judgment in that matter. By operating that way, then the Organization is not a one man organization, even though we recognized that in many, many matters the President must make the final decision. So, I hope you brothers aren't bashful in suggesting things to me.

Fraternally yours,

heavily every time

CLD:er
CC : Mr. W. W. Seymour, Sr.
Enclosure

C. L. Dellums

BROTHERHOOD OF SLEEPING CAR PORTERS
Train, Chair Car, Coach Porters, Attendants & Dining Car Employees
Affiliated with the AFL-CIO/CLC

OFFICE OF THE INTERNATIONAL PRESIDENT
1716-18 Seventh Street
Oakland, California 94607

July 18, 1973

TO THE MEMBERS OF THE BROTHERHOOD OF SLEEPING CAR PORTERS, TRAIN, CHAIR CAR, COACH PORTERS,
ATTENDANTS AND DINING CAR EMPLOYEES FORMERLY EMPLOYED BY THE BURLINGTON

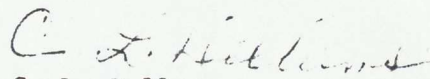
DEAR BROTHERS:

AMTRAK is trying to force all of the On-Board Service Personnel, except the Sleeping Car Porters, into the Hotel&Restaurant Employees&Bartenders Union. Unfortunately, that Union is not resisting Amtrak, even though it would mean the destruction of the only independent autonomous International or National Union under the control of the Brothers. We are resisting Amtrak's destructive efforts, and will fight Amtrak and any one who cooperates with Amtrak in this drive. We will leave no stone unturned to protect the rights of our members.

Consent Recognition on the part of Amtrak, doesn't mean any thing at this time. Neither one of our organizations have a working Agreement with Amtrak yet, and so, do not have a Union Shop Agreement. However, both organizations do have an Agreement with the Burlington Northern, that ensures the earnings of our protected members. Both organizations have an Agreement with Amtrak, which provides for our members to remain covered by the Travelers Insurance Company. So you see, the only difference in their position and our position now is, we are not trying to raid their membership. Both organizations are having plenty trouble with Amtrak, we're no doubt having more trouble with Amtrak than any other railroad union, because if Amtrak prevail in their scheme it will be the end of the Brotherhood. So, I cannot too strongly Urge you to maintain your paid up membership in the Brotherhood, and never voluntarily give it up.

We too are in constant communication with Amtrak, trying to get them to an interim agreement, which would give our members representation and protection while we're trying to get them in an eye-ball to eye-ball conference, for the sole purpose of working out a permanent, adequate working Agreement. Let's Keep The Faith, I am

Fraternally yours,


C. L. Dellums,
International President

CLD:cr

July 2, 1973

Mr. Richard W. Smith
International Vice President
Hotel & Restaurant Employees and
Bartenders International Union, AFL-CIO
743 East 75th Street
Chicago, Illinois 60619

Dear Sir and Brother:

I just received yours of June 28th, and copy of the Section 6 you plan to serve on Amtrak August 1st. I agree, that we ought to seek joint negotiations for this subject, and as a matter of fact, Brother Smith, I think we ought to seek joint negotiations in anything that it's possible and reasonable to do.

Lowry told Shack that he would be back in Chicago around the middle of July, and thought he could meet with you and myself possibly on July 17th. I hope you will help in trying to pin it down definitely for July 17th. I'm planning on flying into Chicago the afternoon of the 16th. I plan to leave here on United Airlines, flight 394, arriving in Chicago at 1:35 PM. I will take a cab, so I should be at the Midland Hotel by, at the outside 2:45 PM. Looking forwards to seeing you.

Faternally yours,

C. L. Dellums
International President

CLD:er
CC : Mr. L. J. Shackelford, Jr.

A. PHILIP RANDOLPH
International President Emeritus

LEROY J. SHACKELFORD, JR.
International Vice President
431 S. Dearborn St., Suite 1224
Chicago, Illinois 60605

L. H. GREENE, JR.
Eastern Zone Supervisor
103 E. 125th St., Suite 610
New York, New York 10035



Train, Chair Car, Coach Porters and Attendants
Affiliated with the AFL-CIO/CLC

C. L. DELLUMS
International President
1716-18 Seventh Street
Oakland, California 94607



June 4, 1973

W. W. SEYMOUR, SR.
International Secretary-Treasurer

INTERNATIONAL HEADQUARTERS
5253 Thrill Place
Denver, Colorado 80207

A. R. BLANCHETTE
International Field Representative
1410 Stanley Street
Montreal 110, Quebec

True Copy

Mr. George Meany, President
American Federation of Labor and
Congress of Industrial Organizations
815 16th Street, N. W.
Washington, D. C. 20006

Dear Brother Meany:

The Brotherhood of Sleeping Car Porters is being forced into a life or death struggle by Amtrak. Amtrak themselves have decided that they wanted the service employees employed on passenger trains, other than sleeping car porters, to be represented by the Hotel & Restaurant Employees Union. About ninety percent of these employees, Chair Car Porters or Attendants, Coach Porters and Parlor Car Attendants were organized by the Brotherhood of Sleeping Car Porters more than twenty-five years ago, and these employees have never been represented by any other labor organization. Amtrak wants to put them in the bargaining unit of the Dining Car employees. There is at least three times as many dining car employees as these others, and obviously in a ~~representation~~ ^{representation} election, the dining car employees would prevail, and even if one hundred percent of the employees in question voted to remain with the Brotherhood of Sleeping Car Porters they would lose. Amtrak is starting with the Burlington Northern where they have more than 300 dining car employees and about forty-five coach porters, and they are requesting that the National Mediation Board certify these employees as being represented by the Hotel & Restaurant Employees Union. Then when Amtrak takes over the next group of employees, they will ask the Mediation Board to do the same thing, and if they have an election, the Burlington Northern employees along with the new road Amtrak would be taking over would be called upon to vote, and again the answer would be obvious. Amtrak plans to move from railroad to railroad, and in each case the employees who have already voted, would be voting again, so that the answer again would be obvious.

Amtrak knows that our Union cannot exist if its stripped of over one half of its membership, leaving us only about 500 sleeping car porters, and they hope to

Mr. George Meany
Page Two
June 4, 1973

force these sleeping car porters under the Hotel & Restaurant Employees Union also. This can only be stopped either by Amtrak leaving these employees not handling food and drink under the jurisdiction of the Brotherhood of Sleeping Car Porters where more than ninety percent of them are now, or the National Mediation Board refuse to place these employees in the same bargaining unit with the Dining Car Employees.

Brother Meany, from our point of view, this is an emergency matter, and we need your assistance now. We urge you to do everything you can to prevent our Union from being destroyed.

Sincerely and Fraternally,

C. L. Dellums
International President

CLD:cr

November 5, 1973

Mr. W. L. Millar, Director
Dining, Sleeping & Parlor Car Service
Penn Central Transportation Company
Long Island City, New York 11101

Dear Mr. Millar:

This has reference to your communication of October 31, 1973, providing certain conditions for your employees that are represented by our Organization who accepts a position with Amtrak.

I'm enclosing the signed original since we concur in it.

Yours truly,

C. L. Dellums,
International President

CLD:cr
Enc.

CC : Mr. L. H. Greene, Jr.
Mr. L. J. Shackelford, Jr.

December 12, 1973

Mr. L. H. Greene, Jr.
Eastern Zone Supervisor
Brotherhood of Sleeping Car Porters
103 E. 125th St., Suite 610
New York, New York 10035

Dear Brother Greene:

I just received and read the communication you received from Mr. L. W. Burks under date of December 5, 1973, which was in reference to the train porters; I find nothing wrong with it, and as a matter of fact it clears up what I didn't understand by reading his other one of December 4th, which was in reference to the Sleeping Car Porters.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr

December 10, 1973

Mr. L. H. Greene, Jr.
Eastern Zone Supervisor
Brotherhood of Sleeping Car Porters
103 E. 125th St., Suite 610
New York, New York 10035

Dear Brother Greene:

First, referring to Mr. Burks's communication of December 4th, concerning Amtrak taking over trains 50 and 51 on December 10th. I see nothing wrong with accepting and signing the concurrence. However, I am wondering about the second paragraph of his letter, in which he states that both the C and O and B and O ceased the operation of any inter-city rail passenger service effective May 1, 1971. And yet, in his first paragraph, he states that Amtrak will have their own employees to takeover service presently being performed by the Carrier's employees. If Burks is wrong in one or both of these paragraphs in the interest of accuracy it should be straightened out before we accept it.

Now in reference to proposals for the train porters; after Richard Smith signed an Amtrak letter granting consent recognition of the Hotel&Restaurant Employees Union over the Coach and Chair Car and Parlor Car employees it became obvious that our first job is to get the jurisdiction changed, because as of now drafting proposals would be meaningless. As you no doubt know and will recall, I submitted the old Pullman and Southern Pacific agreements to Amtrak to be used as the basis for the rules of an agreement between the Brotherhood and Amtrak. In the conference with them in Chicago, Lowry said he had never seen the Southern Pacific agreement and would be interested in it, since it covered both Chair Car and Sleeping Car Porters, we gave him a copy then.

We attempted to inject a change in the SCOPE rule by proposing our

Mr. L. H. Greene
Page Two
December 10, 1973

own, which I'm enclosing copy of, but it was rejected on the grounds, that as of now they've granted recognition over these employees to the Hotel&Restaurant Employees Union. Incidentally, I think you have a copy of the Southern Pacific agreement, and I would suggest that you study it, and draft your recommended changes in it, so that at the proper time we would propose the Southern Pacific agreement with the additions, deletions or changes we would want to make.

Since the settling of the jurisdiction question may be months away, I'm planning on sending out a letter to the entire membership within the next ten days or two weeks at the outside. We're urging our members not to join or pay any money to anybody representing the Hotel&Restaurant Employees Union until such time as that union serves a dismissal notice under the Union Shop Agreement, which I'm sure they will not do as long as this jurisdiction matter isn't settled. Also, we will have to urge the brothers to pay their dues themselves when Amtrak takes over, because there will be no check-off for anybody except sleeping car porters until we straighten out this matter. Since Amtrak will be taking over the employees on other railroads apparently within the next thirty days, I plan to file raiding charges against the Hotel&Restaurant Employees Union the first week of January. I feel confident we can win a favorable decision from the referee, which will help us in our fight before the National Mediation Board if we have to go that far. I'll keep you informed, I am

Faternally yours,

C. L. Dellums,
International President

CLD:cr
Enc.

November 12, 1973

Mr. L. H. Greene, Jr.
Eastern Zone Supervisor
Brotherhood of Sleeping Car Porters
103 E. 125th St., Suite 610
New York, New York 10035

Dear Brother Greene:

In reference to your letter of November 2nd, concerning the B & O train porters; the Property Protection deal and its rates are not familiar to me, but it seems to me, that the Amtrak Appendix C-1 should be applied, since it is subsequent to 1966. Now, on the other hand, if we are parties to the Property Protection Agreement then the Company no doubt is correct.

Fraternally yours,

C. L. Dellums,
International President

CLD:cr

P.S. Since J. D. Shaw was removed from service as of September 30th, 1973, I have not been informed as to whether or not he allowed himself to be discharged or is he old enough to retire and took that way out?

May 29, 1973

Mr. A. R. Lowry
Director of Labor Relations
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S. W.
Washington, D. C. 20024

Re: Recognition of Sleeping
Car Porters

Dear Mr. Lowry:

I "heard" that Mr. Richard Smith, Hotel & Restaurant Employees Union was having a meeting with Amtrak representatives in the Amtrak offices in Washington on Tuesday, May 15th, 1973. I directed International Vice President, Mr. L. J. Shackelford, to fly down to Washington and contact Mr. Smith for purpose of accompanying Mr. Smith to this conference, because I could not understand why I had not been invited to this conference. The rest of course is history now, and you of course know what has happened since that date.

I cannot sign the Recognition Letter you sent me, which is dated May 10th, 1973, because it limits our jurisdiction to Sleeping Car Attendants only. As I have pointed out in previous correspondence, the majority of railroad employees we represent now are not Sleeping Car Porters, but are employees employed on the passenger cars, other than dining cars and sleeping cars. As I have pointed out, there is no uniform title for these employees, but the title of Coach, Parlor Car, and Chair Car Porters and Attendants would cover them, with the exception of a few carrying the title of Train Porters, and to the best of my knowledge, they are employed by the Southern Pacific, Texas and Louisiana Lines.

I have a copy of the Recognition Letter Mr. Richard Smith signed,

October 3, 1973

Mr. A. R. Lowry
Director - Labor Relations
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S. W.
Washington, D. C. 20024

Dear Mr. Lowry:

I promised to have some suggested changes in the interim agreement to you by the time you got back to Washington on the first. Since I was unable to do that, I wish to call your attention to first of all, that all of the employees we represent are working a 174 hour month, all of them. And ofcourse, as you know, we had agreements with all of the railroads operating passenger trains. Most of the Sleeping Car Porters are being paid \$794.74 per month. However, the Sleeping Car Porters and Chair Car Porters on the Southern Pacific are being paid \$810.28 a month, which is \$4.6568 per hour. The Chair Car and Sleeping Car Porters on the Southern Pacific work under one agreement, and their seniority is good on either type of car, sleeper or chair car. On the Santa Fe, our Chair Car Attendants are being paid \$810.28, but the Santa Fe Sleeping Car Porters are being paid \$827.24, which is \$4.7542 per hour. The employees we represent get time&half for all hours over 164.

I pointed out to you in the conference the other major points that require reconsideration, which primarily was the discipline rule. Union shop and check-off rule is no problem, because they are fairly standard.

It would be most unfortunate when Amtrak takesover any other road besides the two they have taken over, and the Illinois Central Gulf before the jurisdiction question is settled. As a matter of fact, I don't see how Amtrak can sign an agreement for any of the class of employees, other than Sleeping Car Porters until the jurisdiction question is settled,

*Note: Copy of this
letter also went
to Ron's office
& George Meany's
office*

July 25, 1973

Mr. Roger Lewis, President
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S.W.
Washington, D. C. 20024

Dear Mr. Lewis:

I'm appealing to you to straighten out a matter that could give us all a lot of trouble. Mr. Kenneth A. Housman knows that the Brotherhood of Sleeping Car Porters now represent more than ninety percent of the on-board service personnel not handling food and drink. Over half of these employees are working on the trains in cars other than sleeping cars. We represent these employees, because we organized them and went through the procedures of the Railway Labor Act, railroad by railroad, and was certified in each instance by the National Mediation Board as the duly designated representative of these employees. Mr. Housman wants to force all service personnel in one organization, and he has chosen the organization, an organization that represents less than five percent of the service personnel not handling food and drink.

The Railway Labor Act provides that the right of representation is in the hands of the workers, and if the employer interferes in any way it's a daily violation of the law, and subject to a daily fine. Our organization represents a minority of the employees handling food and drink (dining car employees), and a minority of the Coach Porters on the Burlington Northern. The fact that another organization represents a majority of both crafts on that railroad is being used to try to force all of these service employees, except Sleeping Car Porters, into the other organization. Mr. Housman knows that there was joint representation of these employees in dealing with the Burlington Northern. Mr. Housman knows that we had a joint agreement with the Burlington Northern covering these Coach Porters and Dining Car employees signed by both the Hotel & Restaurant Employees Union and the Brotherhood of Sleeping Car Porters. Nevertheless, he chose the union to grant consent recognition to, over all of them, which could itself be a violation of the law. If Amtrak deals with any other organization, in any manner, as representing or speaking for the service personnel not handling food and drink, formerly employed by

Mr. Roger Lewis
Page Two
July 25, 1973

any railroad other than the Burlington Northern, which itself may be a violation of the law, will be a clear violation of the Railway Labor Act, and I shall demand of the Attorney General of the United States that Amtrak be indicted and prosecuted.

For the above reasons, I'm appealing to you to direct your subordinates to stop interfering with the present representation and jurisdiction of the Brotherhood of Sleeping Car Porters. If Amtrak is going to recognize, which they have already done, the Hotel & Restaurant Employees Union as representing all the employees they employ to handle food and drink, because they represent a majority of them, naturally, then by the same yardstick Amtrak should recognize the Brotherhood of Sleeping Car Porters as representing all the on-board service personnel not handling food and drink, since we represent more than ninety percent of them, nationally.

Yours truly,

C. L. Dellums,
International President

CLD:er

CC : The Honorable Elliot Richardson,
Attorney General of the United States
Mr. George Meany, President of the AFL-CIO
Certain Senators and Congressmen

Dear Sir:

Amtrak compiled a letter to be sent to Senators and Congressmen who made inquiries concerning the problem the Brotherhood of Sleeping Car Porters is having with them over which class or craft of employees shall be **recognized** as being represented by the Brotherhood.

Amtrak attempted to explain why they were willing to grant Consent Recognition to the two Unions in question, the Hotel&Restaurant Employees Union and our Brotherhood. Their letter indicated, that the recognition was for the Milwaukee and Burlington Northern. But, Amtrak knew at the time, that they intended for that recognition to be national, and that when they tookover the employees of the other railroads, that the recognition would remain in tact. Amtrak knows that Mr. Housman intends to negotiate one Agreement, like The Pullman Company had, to cover its service employees, but when Mr. Housman realized that he could not eliminate the Brotherhood of Sleeping Car Porters that easily, he decided to recognize the Brotherhood as representing Sleeping Car Porters only, knowing full well, that the Brotherhood represented at least eighty percent of the other service employees outside of the dining cars. It is true, that the Hotel&Restaurant Employees Union represents a majority of the Coach Porters on the Burlington Northern and the Milwaukee when you combine the two. The truth of the matter is, the Hotel&Restaurant Employees union represented a majority of the Coach Porters on the Burlington, but none on the Milwaukee, because they are represented by the Brotherhood of Sleeping Car Porters. The Burlington Northern is the result of the merger of four railroads, and that's how the Hotel&Restaurant Employees union became the representative of a majority, but since that combination is so much bigger than the Milwaukee, that when you combine the two they still represent the majority. It is also a fact, that with the exception of the Burlington Northern where the Hotel&Restaurant Employees union represents less than fifty of that class of employees, that that Union doesn't represent any of that class of service employees on any other railroad. What Amtrak calls secondly in their explanation tells the story. For some peculiar reason they want to have the right to go into those day coaches and or parlor cars, and order that employee to go back into the dining car and wash dishes or do anything in the dining car they want him to do. It's possible that the Amtrak people don't understand that they are attempting to do something that will not work, because these employees will refuse to go into a dining car to wash dishes, and even if they do, it would result in trouble and maybe violence and maybe bloodshed, because we have never been able to eliminate traditional animosity between the Porters and the Dining Car employees. Amtrak is trying to combine people who don't have anything in common. The fact that the bulk of them are Negroes does not mean that they are all the same. These other service employees are not cooks, they are not waiters and they are not dishwashers, and they have no intention of being. In our Organization they are where they belong, because the porter up in front of the train and the porter in back of the train (service employees in coaches, chair cars, parlor cars and sleeping cars) have much in common, because of the similarity of work and the

long years of association together and being members of the same union.

Amtrak seems to recognize the fact, that other than the railroad employees they have taken over, that the pattern they have set doesn't fit all of the present patterns of existing union recognition, but the only solution they see is that the two organizations ought to merge. The Brotherhood is not opposed to a merger, and agree that these two organizations should have been merged at least thirty years ago, but merging organizations is not that simple. However, since when did it become Amtrak's business to interfere in anyway with union representation?

We know that an election can be held under the Railway Labor Act, but why should Amtrak force it through their attempt to force at least eighty percent of a class of employees out of the union that organized them in the first place, and into a union that represents about seven percent of the this class of employees.

November 26, 1973

Mr. Thomas R. Donahue
Executive Assistant to President Meany
American Federation of Labor and Congress
of Industrial Organizations
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Brother Donahue:

As you know, President Hanley of the Hotel and Restaurant Employees' and Bartenders' International Union told me in your presence on Monday, October 22nd, 1973, that he was going to look into the subject we discussed and that I would be hearing from him very shortly. As you know, he stated that his organization was not going to be a party to anything that would do harm to the Brotherhood of Sleeping Car Porters, and that he wouldn't allow his organization to be used for such a purpose. As you will recall, he also raised the question of the adviseability of him notifying Amtrak and Richard Smith to that affect.

The above took place five weeks ago today, and as of this date I have not heard anything from President Hanley or President Meany or you, and naturally I'm wondering if we are being abandoned, and left to tread for ourselves as best we can.

On November 3rd, 1973, thirteen days after this conference down in Miami Beach, Richard Smith and nine other men, representing the Hotel&Restaurant Employees' and Bartenders' International Union signed an agreement with Amtrak covering all of the service employees on Amtrak passenger trains, with the exception of the Sleeping Car Porters. This agreement included a union shop agreement and a check-off agreement.

Since about sixty percent of our members are covered by their agreement, they can and in due time will use the union shop agreement to force our members to join their union.

On November 7th, 1973, Mr. Lowry of Amtrak telephoned me and told me, that, now that they had signed an interim agreement with the Hotel and Restaurant Employees representatives that they were now prepared to meet with us to see if we couldn't work out an agreement just covering the Sleeping Car Porters. Our International Vice President and International Secretary-Treasurer joined me in meeting with Mr. Lowry and Mr. Johnson on November 14th and 15th for the purpose of discussing their proposition. These men told us, that they would not have agreed to pay those employees \$4.65 an hour if the agreement didn't cover these Coach and Chair Car employees, and that these Coach and Chair Car employees be allowed to help out in the dining car when needed. They admitted to us, that in most cases these employees will never be sent to a dining car to do any work, but, that Amtrak was paying 15¢ an hour for what Amtrak wanted. It became quite clear that Amtrak had decided that they wanted these employees, with the full knowledge that they were members of our Organization, to be forced into the Hotel&Restaurant Employees' and Bartenders' International Union, and were paying 15¢ an hour for them, and that the Hotel&Restaurant Employees Union accepted the deal.

If President Hanley cannot be made to understand the significance of what his union has done, and that it definitely was morally wrong and possibly illegal, then I don't know.

I tried to reach you by telephone, but without success, and was told by your secretary that you would return my call as soon as you returned to your office, you were in the building at the time, but ofcourse I haven't heard from you.

Faternally and Sincerely yours,

C. L. Dellums,
International President

CLD:cr

Mr. A. R. Lowry
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October 3, 1973

because you cannot legally sign an agreement with any union covering any class or craft of employees which are already covered by agreements with other unions, or rather until the union can show a clear majority of the employees involved, and the employer cannot unilaterally combine craft and class themselves.

As pointed out in the other communication sent to you a couple of days ago, this subject is not as nearly so hard to resolve as Amtrak seems to think it is.

Yours truly,

C. L. Dellums,
International President

CLD:cr

August 17, 1973

Mr. A. R. Lowry
Director-Labor Relations
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S.W.
Washington, D. C. 20024

Dear Mr. Lowry:

Referring to yours of August 9, 1973, concerning representation of "Service Attendants" on Amtrak trains:

Your information is not correct concerning the utilization of these employees (Coach Porter, Chair Car Porters or Attendants, Parlor Car Attendants and Train Porters). As I recall, many years ago, the old Burlington railroad came out with a new train, and decided that they wanted to utilize some employees to either handle some duties in the day section, and possibly fill in as a waiter in the dining car when needed. They gave these jobs to dining car employees and called them waiter-porters. It was less than twenty involved, and that was discontinued years ago, and there's no such classification today.

These employees are not noted for changing representation. The majority of these employees were organized by our Union sometime back, in some instances, more than thirty years ago, and they have never changed representation. It is true, that the Hotel & Restaurant Employees Union represents approximately 43 of these Burlington Northern employees (but they did no work in dining cars), but, don't overlook the fact, that our Union represents approximately 100 Burlington Northern dining car employees (formerly, Chicago, Burlington & Quincy employees). The Hotel & Restaurant Employees Union also represents about 40 employees on the old New Haven division of the Penn Central, but I'm not sure how many of them are dining car, and how many are employed in the day section of the train. The Transport Workers Union represent about 43 on the Penn Central. The United Transportation Union represents about 37 on the Illinois Central Gulf. Out of a total of a little over 800, our Organization represents about 650.

Percentage wise this means that nationally we represent approximately 79.5%; the Hotel&Restaurant Employees Union a little less than 11%; Transport Workers Union about 5% and the United Transportation Union about 4%.

Several months ago, Amtrak had the Penn Central to operate the "Montrealer", and, out of Washington to Montreal. Amtrak advertised for employees, and at first employed 51 new employees and attempted to train them to do anything on the train, other than chef cook and possibly 2nd cook. Amtrak ignored the rights of the experienced railroad workers already employed by the Penn Central, because they obviously wanted to try this experiment with new people. The question now is, is it successful? Our investigation indicates, that the morale of these employees is the lowest of any employees railroads ever experienced in modern times. Our investigation further indicates, that Amtrak have had a far greater "turnover" among these employees than railroads are accustomed to having.

There was a conference held in Amtrak offices in Washington on March 21, 1973. Attending this conference was Mr. Richard Smith, Hotel&Restaurant Employees Union; Mr. Eugene Attreed, Transport Workers Union; Mr. L. E. Greene and myself representing our Organization. We didn't ask Mr. Housman if the utilization of the employees on the "Montrealer" was successful, but we criticized it, and twice during the conference he stated, that it was an experiment and would not be repeated. In light of all of this, Amtrak's position is not sound, and I'm inclined to believe it's by design.

You state that Amtrak will not interfere in any way with the representation of its employees. I'm sure that Amtrak knows it's illegal, where it is known, that more than one organization represents a group of employees for the Carrier to recognize either one as the bargaining agent for them, without a clear showing that that Organization represents a majority. Obviously, only the Brotherhood can make such a showing for the employees involved. Amtrak is trying to get around that fact, by attempting to determine class and craft themselves, and Congress have placed that responsibility solely in the hands of the National Mediation Board. Amtrak knows that our union represents almost 100 Burlington Northern dining car employees. Amtrak knows that the Transport Workers Union represents the overwhelming majority of the dining car employees on the Penn Central. So, if Amtrak is taking the position, that because the Hotel&Restaurant Employees Union represents a clear majority, on a national basis, then by the same reasoning Amtrak should recognize the Brotherhood as representing these service employees.

Incidentally, there's about 150 of these employees on the Southern Pacific, that their seniority is also over sleeping cars and they work on both types of cars. Those service employees we represented on the Chicago, Milwaukee, St. Paul & Pacific have the same rights these Southern Pacific employees have and work the same way. The only logical combination of crafts on the passenger trains would be for the attendants working on the day section to be combined with those working on the sleeping cars, because they have almost everything in common. The only difference in the duties they perform is that when they're on sleepers they make beds and shine passengers shoes. These sleeping car and day train employees aren't bartenders or waiters or cooks or dishwashers, and have almost nothing in common. Unfortunately, they do not even get along together very well, and the majority of them don't socialize together off the job, despite the years of work both our organizations have done to bring them both together.

CLD:er

CC: The Honorable Elliot Richardson
Attorney General of the U.S.
Mr. George Meany, President,
AFL-CIO

Yours truly,

C. L. Dellums,
International President

*this is
letter we
sent out in
relation to
Smith's letter
7/13/73*

BROTHERHOOD OF SLEEPING CAR PORTERS
Train, Chair Car, Coach Porters, Attendants & Dining Car Employees
Affiliated with the AFL-CIO/CLC

OFFICE OF THE INTERNATIONAL PRESIDENT
1716-18 Seventh Street
Oakland, California 94607

July 18, 1973

TO THE MEMBERS OF THE BROTHERHOOD OF SLEEPING CAR PORTERS, TRAIN, CHAIR CAR, COACH PORTERS,
ATTENDANTS AND DINING CAR EMPLOYEES FORMERLY EMPLOYED BY THE BURLINGTON

DEAR BROTHERS:

AMTRAK is trying to force all of the On-Board Service Personnel, except the Sleeping Car Porters, into the Hotel & Restaurant Employees & Bartenders Union. Unfortunately, that Union is not resisting Amtrak, even though it would mean the destruction of the only independent autonomous International or National Union under the control of the Brothers. We are resisting Amtrak's destructive efforts, and will fight Amtrak and any one who cooperates with Amtrak in this drive. We will leave no stone unturned to protect the rights of our members.

Consent Recognition on the part of Amtrak, doesn't mean any thing at this time. Neither one of our organizations have a working Agreement with Amtrak yet, and so, do not have a Union Shop Agreement. However, both organizations do have an Agreement with the Burlington Northern, that ensures the earnings of our protected members. Both organizations have an Agreement with Amtrak, which provides for our members to remain covered by the Travelers Insurance Company. So you see, the only difference in their position and our position now is, we are not trying to raid their membership. Both organizations are having plenty trouble with Amtrak, we're no doubt having more trouble with Amtrak than any other railroad union, because if Amtrak prevail in their scheme it will be the end of the Brotherhood. So, I cannot too strongly Urge you to maintain your paid up membership in the Brotherhood, and never voluntarily give it up.

We too are in constant communication with Amtrak, trying to get them to an interim agreement, which would give our members representation and protection while we're trying to get them in an eye-ball to eye-ball conference, for the sole purpose of working out a permanent, adequate working Agreement. Let's Keep The Faith, I am

Fraternally yours,

C. L. Dellums
C. L. Dellums,
International President

CLD:cr

Memorandum

BROTHERHOOD OF SLEEPING CAR PORTERS

Date May 23, 1973

From: C. L. Dellums

To: Mr. William J. Hickey

Subject: Enclosed Letter to Lowry

After Shackelford told me
you wouldn't be in the office for the next
two weeks, I decided to draft and send the
original of the enclosure on to Lowry.

May 21, 1973

Mr. Robert Lowry
Director of Labor Relations
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S. W.
Washington, D. C. 20024

Dear Mr. Lowry:

This has reference to the Consent Recognition you granted the Hotel & Restaurant Employees Union under date of May 10, 1973;

In order to clarify this question of who represents employees not handling food and drink. The Carriers do not have a uniform title for these employees. Some roads call them Chair Car Porters; some Coach Porters; some Train Porters; some Chair Car Attendants, and the Penn Central have a group called Penn Parlor Car Attendants. The crafts referred in the full name of our Organization are represented by us exclusively on the following railroads: the Santa Fe; the Union Pacific; the Milwaukee; the Seaboard; the Penn Central (Parlor Car Attendants); the Rio Grande; the Chesapeake & Ohio, and the Southern Pacific, the entire system. On the Illinois Central Gulf we represent part of them, the ones who formerly worked for the Gulf, Mobile & Ohio, and part of them are represented by U.T.U., the ones that were formerly employed by the Illinois Central. Now, on the Burlington Northern we represent some Chair Car employees and some Dining Car Employees, all of those who were employed by the C.B.&Q., before they were merged into what is now the Burlington Northern.

The Exclusive Representation was based upon a Certification from the National Mediation Board, and we hold union shop agreements with these rail-

Mr. Robert Lowry
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May 21, 1973

roads. The others we had the exclusive representation prior to mergers. I have just covered all of the passenger carrying railroads that employ any of the crafts in question here. The others only employ Sleeping Car Porters, and ofcourse we represent all of the sleeping car porters in the nation. You can see from this analysis, that the Hotel&Restaurant Employees Union only represent the employees not handling food and drink on only one railroad, the Burlington Northern, and that's less than fifty employees.

We have no objection to allowing the Hotel&Restaurant Employees Union to represent all of the dining car people on the Burlington Northern, if we represent all of the Coach or Chair Car employees. We now represent all of those on the Milwaukee, and from the National representative point of view, I think it obvious, that we represent probably ninety percent of the employees in question.

For the above reasons, I'm hereby requesting that Amtrak rescind the Recognition, which was granted under date of May 10th, 1973 to the Hotel & Restaurant Employees Union, insofar as the Coach and Chair Car porters are concerned, and grant that representation Recognition to the Brotherhood of Sleeping Car Porters.

Very sincerely yours,

C. L. Dellums
International President

CLD:cr
CC : Mr. William J. Hickey
Mulholland, Hickey & Lyman Law Offices

Mr. A. R. Lowry
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May 29, 1973

and I interpret that as granting jurisdiction of all of the Chair Car Porters and Attendants, Coach, Parlor Car and Train Porters that Amtrak intends to employ on Amtrak trains. It is my position, that Amtrak does not have that power, and cannot do this.

As you no doubt know, our Organization represents the dining car Cooks and Waiters now employed by the Burlington Northern, who prior to the merger were employed by the Chicago, Burlington and Quincy Railroad. Mr. Smith's organization represents the about forty-five coach porters employed by the Burlington Northern, none of whom worked for the Burlington prior to the merger, because the old Burlington Coach Porter's work was done by our members. Now, if Mr. Smith's organization is to be granted jurisdiction over all of the Dining Car Employees, including the approximately one hundred we now represent, then we must be granted jurisdiction over those Coach Porters they now represent.

I think letters of Recognition should be redrafted for both of our organizations to supercede the one Mr. Smith has already signed, confining their jurisdiction to the employees handling food and drink, and granting ours to all employees in the categories referred to above that we now represent. I'm sure that Mr. Smith would sign such a letter, and so would I sign such a letter.

Very truly yours,

C. L. Dellums

CLD:cr
CC : Mr. William J. Hickey, Attorney
Mulholland, Hickey & Lyman
Mr. L. J. Shackelford, Jr.

P. S. We represent all Sleeping Car Porters on all roads.

June 11, 1973

Mr. A. R. Lowry
Director of Labor Relations
National Railroad Passenger Corporation
955 L'Enfant Plaza North, S. W.
Washington, D. C. 20024

Dear Mr. Lowry:

Reference is made to your letter of May 24th, 1973, enclosing a Letter Agreement dated May 10th, 1973, stating that the National Railroad Passenger Corporation will recognize this Organization as the sole and exclusive bargaining agent of the class and craft of Sleeping Car Attendant (Sleeping Car Porter), and requesting that we sign and return three (3) copies thereof.

The executed copies you requested are returned herewith. Such Agreement should be understood, as in no way prejudicing the position of this Organization, that the Corporation has to date failed to properly recognize this Organization as the collective bargaining agent of the class or craft of employees called by various railroads, Coach Porters, Chair Car Porters, Chair and or Parlor Car Attendants. Our position in this regard is of record in your Office and the National Mediation Board. Also of record is the expressed request of the Hotel & Restaurant Employees Union by letter to the Corporation from International Vice President, Mr. Richard Smith, dated May 23rd, 1973, that since the overwhelming majority of these employees are represented by our Organization rather than his Union, that the Consent Recognition to the Hotel & Restaurant Employees Union should not include the Coach Porters.

Under separate cover you will receive from our Attorney, Mr. William J. Hickey, the executed copies from the Corporation to this Organization regarding the coverage of the employees of the Corporation this Organization will represent under Travelers Group Policy Contract "GA-23000".

Sincerely yours,

C. L. Dellums
International President

CLD:cr
CC : Mr. William J. Hickey
Enc.

November 5, 1973

Mr. J. R. Jones, Vice President
Personnel Department
The Atchison, Topeka & Santa Fe Railway Company
80 East Jackson Boulevard
Chicago, Illinois 60604

Re: 100-93-1

Dear Sir:

This refers to yours of October 24th, 1973, your file number 100-93-1.

This is to acknowledge receipt of the above referred to file.

Yours truly,

C. L. Dellums,
International President

CLD:er
CC : Mr. L. J. Shackelford, Jr.

November 6, 1973

Mr. B. J. East
Assitant to Vice President - Personnel
The Atchison, Topeka & Santa Fe Railway Company
80 East Jackson Boulevard
Chicago, Illinois 60604

Re: 100-93-1

Dear Sir:

Enclosed you will find signed copy of yours under date of October 30, 1973, your file number 100-93-1.

Obviously, we are in accord with the aforesaid, and therefore wish to hereby express our appreciation to you in the way this important matter was expedited.

Yours truly,

C. L. Dellums,
International President

CLD:er
Enc.