

INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION

150 GOLDEN GATE AVENUE, SAN FRANCISCO 2, CALIFORNIA, PROSPECT 5-0533

HARRY BRIDGES
President

J. R. ROBERTSON
First Vice-President

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Second Vice-President

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Secretary-Treasurer

January 7, 1952

TO ALL ILWU LOCALS

re Supreme Court of the U.S. decision upholding \$750,000 judgment obtained by Juneau Spruce Corporation against the union.

Dear Sirs and Brothers:

The Supreme Court of the United States today handed down a unanimous decision upholding the \$750,000 Juneau Spruce Company Taft-Hartley judgement against the International union and Local 16 of Juneau, Alaska.

The court acted in unprecedented haste, for the case was argued before it only one month ago.

With this letter we are enclosing a news release containing the official statement of the International's officers regarding the decision and a repeat of a communication sent to all locals on May 25, 1949, setting forth the detailed history of the case. This history is complete except for the latest court steps which include an adverse decision in the Circuit Court of Appeals, a state court order to enforce judgement, and today's ruling of the Supreme Court.

Aside from being informed on the open union-busting nature of the proceeding, we believe the rank and file will want answered a number of questions as to how the judgement affects them and their union.

Q. Are individual members of the union liable for payment of the judgement?

A. No.

Q. Can the locals be made to pay any part of it?

A. No. Only the International and Local 16 are involved.

Q. Has the International the money to pay the judgement?

A. It has not.

Q. Why?

A. Because the International has the lowest per capita rate of almost any union in the country, only enough to provide operating costs. The per capita rate is 65 cents a month per member which amounts to $16\frac{1}{4}$ cents from each dollar of dues from members paying \$4 a month and $22\frac{1}{3}$ cents from each dollar of dues from members paying \$3 per month. Of

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the 65 cents monthly per capita collected by the International a good portion of it is ear-marked for publication of The Dispatcher, as required by the postal laws.

The margin on the operating fund has grown steadily narrower, for there has been no increase in per capita since 1943, and since then costs of operating have skyrocketed.

Q. How will Juneau Spruce collect?

A. It's a good question.

In view of the wide publicity being given to the case, we cannot impress too strongly on the membership the fact that this judgement does not affect the operation of their locals. It may hamper and harrass the International officers, but it does not take away the solidarity and determination of the union.

That solidarity and determination will continue to pay off in terms of wages and conditions. All necessary steps will be taken by the officers to protect the union from all these flank attacks, from whatever direction they come.

Tighten the lines and judgements be damned!

Fraternally yours,

Harry Bridges
Harry Bridges, President

Louis Goldblatt
Louis Goldblatt, Secretary-Treasurer

J. R. Robertson
J. R. Robertson, First Vice-President

Germain Bulcke
Germain Bulcke, Second Vice-President

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Enclosures: (2)

1. News Release, 1/7/52
2. Copy of letter to all ILWU locals from Bulcke, 5/25/49

**FROM THE INTERNATIONAL LONGSHOREMEN'S
& WAREHOUSEMEN'S UNION**

The International Longshoremen's & Warehousemen's Union consists of dock and terminal, and fish and allied workers of the Pacific Coast, Alaska and Hawaii, and warehouse and distribution workers and other related groups of the United States, territories, and Canada.

MORRIS WATSON, Director of Information
150 Golden Gate Ave., San Francisco 2, Calif.

PROSPECT 5-0533

PROSPECT 5-2220

FOR IMMEDIATE RELEASE

SAN FRANCISCO, JAN. 7 -- "The decision of the Supreme Court of the United States upholding the outrageous \$750,000 Taft-Hartley judgment against our union is final proof of the nature and intent of the Taft-Hartley act and the Truman administration of it," said the officers of the International Longshoremen's & Warehousemen's Union in a statement issued today.

The statement continued:

"All along the line Truman appointees have played ball with the most reactionary labor-hating employers to use the Taft-Hartley Act to put unions out of business.

"The act was designed for this very purpose, and, as shown today, for the further purpose of restoring the courts to a union-busting role.

"As for our union, it will not be busted. Its assets never were money or physical property. Its real assets have been and will remain a solid membership devoted to democracy and militance to improve their standards and conditions."

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INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION

May 25, 1949

TO: ALL ILWU LOCALS

Dear Sirs and Brothers:

The full, vicious, union-wrecking intent of the Taft-Hartley Act now stands revealed to our union in the form of a judgment against our union treasury for three-quarters of a million dollars.

The verdict and judgment against us was handed down on May 13, 1949, in the Federal District Court of Alaska in a suit brought under the Taft-Hartley Act by the Juneau Spruce Corporation. Held accountable to pay the judgment were ILWU Local 16 at Juneau and the International Union.

The following is the history of what occurred at Juneau, resulting in the above-mentioned damage suit and decision:

For many years, ILWU Local 16 has had a contract covering longshore work in the Port. Among the signatories to this contract was the Juneau Lumber Company, which operated a mill there which always hired, in accordance with the contract, longshoremen from ILWU Local 16 to perform such longshore work as required to load lumber from their mill.

About April 30, 1947, the Juneau Lumber Company sold its mill. It then became known as the Juneau Spruce Mill. The new owners continued the same relations with the longshoremen in the same manner the former owners hired and paid longshoremen. They did the same with the International Woodworkers of America, Local M-271, for the employees regularly employed in the mill, also renewing a contract with IWA.

However, about January 21, 1948, the company ordered the mill crew, members of IWA, to load a scow, which the company had acquired, with 350,000 board feet of lumber. ILWU Local 16 immediately protested to the company, justly claiming that the loading of lumber should be performed by longshoremen, in accordance with the jurisdiction and the well-established practices which have existed for many years. They also contacted the IWA local, and a joint meeting was held on January 23, 1948. After a thorough discussion, the IWA local went on record that the loading of lumber aboard scows, barges and ships was longshore work and should be performed by longshoremen. It was further pointed out at this meeting that when IWA members working in the mill loaded lumber, they were doing so at a rate of \$1.42 $\frac{1}{2}$ on an eight hour straight-time day, which is way below the rate established for longshoremen.

Upon being advised of the situation at Juneau, Alaska, on behalf of ILWU Local 16 I telephoned the international office of IWA on January 22, 1948, and spoke to Albert Hartung, Vice President, who promised he would check into the situation immediately, and stated that the IWA local at Juneau would give full support to the ILWU local there as they did not want to encroach on longshore work. I did not hear from Vice President Hartung, and on February 16, 1948, I communicated with him, giving full details in writing. This communication was answered by J. E. Fadling, International President of the IWA, stating that he would look into the matter, assuring me of their full support and advising as to what steps the IWA would take. No further report was received from the International IWA.

TO: All ILWU Locals, May 25, 1949

In the meantime, ILWU Local 16 continued their efforts to get the longshore work pursuant to past practices, and being unsuccessful, on April 10, 1948, ILWU Local 16 placed a nominal picket line around the mill in order to cause the company to negotiate and reach an agreement. The mill was closed down. The IWA respected the picket line and publicly stated that they recognized the long-established jurisdiction of the longshoremen as far as the loading of lumber aboard ships, scows and barges was concerned.

The company immediately filed an unfair labor practice charge against the ILWU with the Regional Office of the NLRB. Hearings were held and the charges were dismissed. The findings of the Regional NLRB were appealed by the company to the NLRB in Washington and dismissal was upheld.

The company then proceeded to send the President of IWA Local M-271, William H. Flint, to Portland, Oregon to contact International officers. It was testified under oath, during the damage suit trial, that the expenses for this trip were paid for by the company.

Following this, about July 9, the IWA Local M-271, upon advice of their president, decided to go back to work, and their agreement between the company and themselves was amended to cover and claim jurisdiction over the work previously performed by the longshoremen. Work was resumed at the mill, even though ILWU Local 16 maintained its picket line which was disregarded by the IWA, and the company immediately filed new unfair labor practice charges, which are still pending, against the ILWU.

About October 12, 1948, the mill was again closed down, apparently to make extensive alterations. However, on October 20 the company entered a suit in a district court of the Territory of Alaska for damages, naming both ILWU Local 16 and the International, even though the International had nothing to do with the dispute. This resulted in the decision against the union as above mentioned.

Early in September, after IWA membership had gone back to work through ILWU picket lines, I personally contacted James Fadling, President of IWA, at Portland, discussed this entire matter with him on behalf of Local 16 and asked him for his cooperation in order to get everybody back to their former jobs. He, however, claimed that the IWA Local M-271 at Juneau had full autonomy and he was unable to take any action. I also brought to his attention a statement that appeared in the local press of Juneau, Alaska, under date of July 15, where he was quoted as follows:

"Your International Union is 100 per cent behind you in your return to work and will assist you in any way it can".

He stated that the International had no choice but to support the action of the local.

It should be recognized by all members of our locals, and by every unionist in the nation, that this judgment which threatens the very existence of ILWU, is directly attributable to the provisions of the Taft-Hartley Act, which ^{were} written into the Act for the very purpose of making it impossible for unions to operate and protect and make gains for their members.

The failure of the leadership of the IWA properly to respect and protect the rights of a sister CIO union, thus permitting the establishment of a precedent which threatens the existence of the IWA as well, speaks for itself.

TO: All ILWU Locals, May 25, 1949

Since our union has always followed the policy of keeping the main portion of its treasury in the pockets of the members, there is on hand, neither in the treasury of the International nor of Local 16, anything like the amount of the judgment.

In fact, if this outrageous judgment stands after all appeals have been carried through the courts it will cost every member of the ILWU about \$20.00 each. The alternative would be to go out of business as a union!

Every possible legal step is being taken to have the judgment set aside. However, all ILWU locals and their members should realize that if it stands it can destroy the ILWU and all of its locals, and in any case be heavily costly to the members. It can also point the way to destruction of every bona fide union in the country.

We feel the facts as stated above should be directed to your membership as revealing how the Taft-Hartley Act can be used by employers to get huge judgments against unions as one step in the drive to break unions.

Fraternally yours,

(signed) Germain Bulcke

GERMAIN BULCKE
2nd Vice President

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