RELEASE

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Region 14

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United Black Workers Association
(J. J. Altman & Co., et al.)
Case No. 14-CB-2206 (1-6)

This case was submitted for advice pursuant to Manual Section 11751.1(a), (c) and (d).

This memorandum supersedes the Advice teletype in this case dated April 5, 1971.

It was concluded upon further consideration of the case including oral presentations by the parties that the charge should be dismissed, absent withdrawal. The evidence overall was considered insufficient to establish that UBWA is a labor organization. In this regard, the evidence indicates that UBWA is essentially a civil rights group of black individuals who have joined together for the purpose of securing equal employment opportunity for black workers with area contractors and consequent membership in the incumbent unions in the construction industry. Thus, the evidence was considered insufficient to establish that UBWA's conduct to accomplish that purpose constituted a "dealing with" employers within the meaning of Section 2(5) of the Act. There is no evidence that UBWA sought to displace incumbent labor organizations or to establish itself as a collective bargaining representative. To the contrary it appears that it sought to work with incumbent labor organizations in order to provide job opportunities for blacks through the established union structure. Further, the evidence does not establish that UBWA sought to "deal with" employers in connection with the grievances, wages, rates of pay, hours of employment, or conditions of work of any employee. In fact, what was sought was employment opportunity within the established collective bargaining relationship. Thus, UBWA's efforts to establish a body to create equal opportunities for black workers in the area construction industry and possibly set some conditions of work for such employees 1/ does not, under these circumstances warrant a finding that UBWA is a statutory "labor organization," particularly where the body would be tripartite including the incumbent unions and employers and would act under government auspices.

G.B.

1/ The RFA states that UBWA wanted a building trade agreement for building construction similar to the Ogilvie Plan. The Ogilvie Plan is directed toward minority hiring in area highway construction and contains provisions concerning working conditions. It was entered into under government auspices by a black employee group and an employer group and it provided for participation by incumbent labor organizations.