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Metro Atlantic/Dekalb SCLC and Mead
Caucus of Rank and File Workers
(Mead Corporation)
Case Nos. 10-CF-123
10-CC-356

NOV 15 1972

These Section 8(b)(4)(C) and 8(b)(7)(A) cases were submitted to Advice on the issue of whether Metro Atlantic/Dekalb SCLC and/or Mead Caucus of Rank and File Workers are labor organizations within the meaning of Section 2(5) of the Act.

It was concluded that the charges should be dismissed in their entirety absent withdrawal, inasmuch as the evidence fails to establish that either group is a labor organization. With respect to the Metro Atlantic/Dekalb SCLC, the evidence discloses that it is essentially a civil rights group of individuals who have joined together for the purpose of securing equal job opportunities for minority workers. Thus, the evidence was considered insufficient to establish that Metro SCLC's conduct to accomplish that purpose constituted "dealing with" an employer within the meaning of Section 8(5). Although some dissatisfaction was expressed by Metro SCLC with the certified incumbent bargaining agent during the strike, it could not be established that Metro SCLC sought to displace the incumbent or to act as the collective bargaining representative. Rather, it appears that Metro SCLC sought within the framework of the existing bargaining relationship to secure equal job opportunities and to remedy what it considered to be discriminatory employment practices. In this connection it was considered significant that only the incumbent union and the employer were signatories to the settlement that ended the strike. Moreover, the settlement contemplated the full participation of the incumbent union in dealing with matters such as establishing a human relations council and job evaluating committee.

Mead Corporation

With respect to the Mead Caucus of Rank and File Employees the evidence does not establish that it was a statutory labor organization. Mead Caucus did not have an identity which was separate and distinct from that of the

Metro SCLC. The only reference to the existence of such an organization is found in the Mead Worker's Manifesto presented to the Employer by Hosea Williams, President of the Metro SCLC. Nor did the Mead Caucus have any attributes of an independent organization such as by laws nor a constitution, any officers or employees in leadership positions or members paying dues and initiation fees. Neither have any meetings been held by Mead Caucus. Assuming arguendo that Mead Caucus was a viable organization through the three striking employees who joined in the strike settlement negotiations, it does not appear that such employees were seeking to "deal with" the Employer concerning grievances, wages, rates of pay, hours of employment or conditions of work. Thus the three striking employees did not seek to displace the certified union. Rather, they limited themselves to exposing what they believed to be discriminatory working conditions at Mead and did not oppose the incumbent union's negotiating and entering into the strike settlement which remedied many of their outstanding complaints

G. B.