

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	<i>Ottom Fries</i>			
2.				
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| ☐ SIGNATURE | ☐ COMMENT | ☐ PER CONVERSATION |
| ☐ APPROVAL | ☐ NECESSARY ACTION | ☐ AS REQUESTED |
| ☐ SEE ME | ☐ NOTE AND RETURN | ☐ NOTE AND FILE |
| ☐ RECOMMENDATION | ☐ CALL ME | ☐ YOUR INFORMATION |
| ☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
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REMARKS

For your files.
Local 38
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FROM:	NAME	BUILDING, ROOM, EXT.	DATE

File

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
by RAMSEY CLARK,	)	
Attorney General,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION
	)	NO. C 67-575
	)	
	)	<u>STIPULATIONS</u>
INTERNATIONAL BROTHERHOOD OF	)	
ELECTRICAL WORKERS, LOCAL NO. 38;	)	
ELECTRICAL JOINT APPRENTICESHIP	)	
AND TRAINING COMMITTEE,	)	
	)	
Defendants.	)	
	)	
	)	
	)	

It is hereby stipulated between the United States and the International Brotherhood of Electrical Workers, Local No. 38: *that*

1. Local 38 is a "labor organization" within the meaning of Section 701(d) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e(d) (1964).

2. Local 38 is "engaged in an industry affecting commerce" within the meaning of Section 701(e) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e(e).

2 a. - The union has its principal offices at 1530 East 23rd Street, Cleveland, Ohio. ^{2b-} The jurisdiction of Local 38 includes Cuyahoga, Medina, Summit, Portage, Geauga, Lake, and Lorain Counties in the State of Ohio. ^{2c-} Local 38 is an unincorporated association of working men engaged in electrical construction work.

3. Of the journeymen, two are Negroes; of the apprentices, three are Negroes.

4. Local 38 operates a hiring hall which is the exclusive source of labor for those contractors who have entered into a collective bargaining agreement with the union. The collective bargaining agreement provides for work referral from the hiring hall on the basis of four groups.

5. Referrals for work are made from Group I, Group II, Group III, and Group ^{IV} ~~III~~ in ^{descending} ~~dissenting~~ order of priority.

6. Group I requires that the applicant for referral have four or more years' experience in the trade, live in the area, ^{have} passed a wiremen examination given by a duly constituted local, and have four years' experience with a contractor under the collective bargaining agreement.

64- Group II requires that the applicant have four or more years' experience in the trade and have passed a wiremen examination given by a duly constituted local. ⁶⁶⁻ Group III

requires four or more years' experience in the trade,
residents in the area, and four years' experience with
a contractor under the collective bargaining agreement.

60 Group IV requires two or more years' experience in the
trade.

7. Group I ~~in fact~~ is comprised of only members
of Local 38.

8. Group II is composed of only journeymen members
~~electrical~~
of local unions outside the jurisdiction of Local 38,
and which have jurisdiction over electrical construction
work.

9. Group III is comprised of members of electrical
local unions in Cleveland who are engaged in non-construction
work.

10. Group IV is composed of all applicants who
are not members of any electrical union, except those
who are not qualified.

11. The experience requirement of Group III is
not followed on referring applicants for work. Many
referrals are made of people who have less than four
years' experience.

12. No non-union member has ever been referred out for work under Group I, Group II, or Group III.

13. No Negro applicant who is not a member of an electrical union has been referred out for a job from the hiring hall.

14. Since 1957, Local 38 has not admitted journeymen directly into membership. ~~At that time,~~ admission ^{can} could only be gained through its apprenticeship program.

15. In 1957, Negroes were tested for admission to Local 38 as journeymen. Three were accepted into membership.

16. Since July 2, 1965, journeymen have been accepted into the union, none of whom was a Negro.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA
by RAMSEY CLARK,
Attorney General,

Plaintiff,

v.

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL NO. 38;
ELECTRICAL JOINT APPRENTICESHIP
AND TRAINING COMMITTEE,

Defendants.

CIVIL ACTION
NO. C 67-575

STIPULATIONS

It is hereby stipulated between the United States
and the Electrical Joint Apprenticeship and Training
Committee (JAC):

1. The Electrical Joint Apprenticeship and
Training Committee is a "joint labor-management committee
controlling apprenticeship" within the meaning of Section 703(d)
of Title VII of the Civil Rights Act of 1964, 42 U.S.C.
Section 2000e -- 2(d).

2. The JAC was established by agreement between
Local 38 and the Greater ^{Cleveland} Chapter of the National Electrical
Contractors Association.

3. The JAC is composed of six members, three of
whom are representatives of the union and three of whom
are representatives of the Contractors Association.

4. The JAC is responsible for administering the
apprenticeship program, including the testing and selection
of applicants.

5. In March, 1965, the JAC developed procedures and standards for admission into the apprenticeship program which were approved by the Bureau of Apprenticeship and Training of the United States Department of Labor, and the State Apprenticeship Counsel of the State of Ohio.

6. Since March, 1965, selection for the apprenticeship program has been based on factors to which points are assigned. The maximum score is 100 points, 50 of which are assigned to an oral interview, and 50 of which are assigned to non-oral factors.

7. Department of Labor regulations (29 C.F.R., Part 30) and the standards referred to in number 5 above require that a summary of the oral interview be kept.

8. The JAC has never maintained a summary of the oral interview section of the selection process.

9. Since July 2, 1965, apprentices have been selected; only one or two are Negroes.

10. In July, 1964, pursuant to an agreement arising out of the Mall controversy of July, 1963, the first Negro was accepted as an apprentice.

11. In 1964, none of the 17 Negroes who applied
for admission to the apprenticeship program ¹⁻⁷⁵ were processed
for selection.