

local 38

To: Director
Federal Bureau of Investigation

From: John Doar
Assistant Attorney General
Civil Rights Division

Subject: United States v. International Brotherhood
of Electrical Workers, Local No. 38;
Electrical Joint Apprenticeship and
Training Committee, Cleveland, Ohio
Employment - Civil Rights Act of 1964
CIVIL RIGHTS

On August 8, 1967, the United States filed a complaint under Title VII of the Civil Rights Act of 1964 against the above named defendants, the union, and its Joint Apprenticeship Committee (JAC). Among other things, the complaint alleges that Negroes have been excluded from membership in the union, from participation in the apprenticeship program conducted by the Joint Apprenticeship Committee, and from entering into a collective bargaining agreement as electrical contractors. In connection with this law suit, we would like your agents to conduct interviews with Negro electrical contractors, electricians, and apprentice applicants, and with white contractors to assist in the preparation of evidence to be presented at the trial.

I. ELECTRICAL CONTRACTORS

I have attached a list of electrical contractors, both white and Negro, who are engaged in electrical work within the jurisdiction of Local 38. Please interview these contractors according to the scheme set ~~for~~ out below. The interview should not be confined, however, to this scheme if the person has other information about the policies and practices of the union or its JAC.

A. Background Information

1. Name of firm.
2. Type of Organization (proprietorship, partnership, corporation).
3. Officers (include names and addresses).
4. ^{Position} ~~Office~~ of interviewee ^{in the firm}, length of service, background in construction trades.
5. Is the firm a member of NECA?
6. Is the firm owned and/or managed by Negroes?
7. Was the firm started by former Local No. 38 member(s)?

has it ever been

8. Geographic areas in which the firm operates.
9. Kind of work performed by the firm.
10. Total gross revenue for latest fiscal year.

B. To be answered by firms presently subject to collective bargaining agreement with Local 38, 19.

1. When did the firm first sign the collective bargaining agreement?
2. Was the firm's signature on the agreement solicited by union business managers, agents, or other officials? Explain fully background ~~xxx~~ of decision to sign collective agreement -- what were reasons why the firm signed, and what negotiations lead to commitment?
2. Indicate the formal requirements ^{if any,} which the union stated had to be met before the agreement could be signed (number of years in the business, requirement of a performance bond, minimum number of employees for a given period, appearance before an examining board, etc.).
3. At the time the firm first signed the agreement:
 - (a) how many journeyman electrical workers were employed by the firm;
 - (b) how many apprentice electrical workers were employed by the firm;

- (c) what was source of workers, both permanent and temporary;
- (d) were any employees Negro;
- (e) what was the wage scale;
- (f) did the electricians who were employed by the contractor at this time automatically become members of the union? What provisions were made for accepting these workers into the union?

4. At the present time:

- (a) how many journeyman electrical workers are employed regularly;
- (b) how many apprentice electrical workers are employed regularly;
- (c) are any employees Negro (names and addresses)?

5. Describe in detail experience of the firm with Local No. 38 hiring hall on temporary help:

- (a) how frequently does firm request references (give each instance during past year);
- (b) have any Negroes ever been referred (names and addresses);
- (c) in what form was request made -- how specific are qualifications and characteristics of workers described;

(d) does firm usually use the workers referred, or has it rejected some as is permitted by the collective bargaining agreement;

(e) has firm hired on a permanent basis many workers initially referred to it temporarily from hiring hall;

(f) what was source for temporaries prior to the time Local No. 38 hiring hall became exclusive source?

C. To be answered by firms not presently subject to Local No. 38 collective bargaining agreement.

1. How many journeyman electrical workers are presently employed?
2. How many apprentice electrical workers are employed?
3. Are any Negro electrical workers employed (names and addresses)?
4. What was source of electrical workers employed?
5. What source does firm use for temporary employees?
6. What is wage scale for journeymen, apprentices, and temporaries?
7. Has firm attempted to contract with Local No. 38? Describe fully any negotiations or attempts to negotiate.

8. If a contractor has at some time in the past been under collective bargaining agreement with Local 38, describe the circumstances of that affiliation and why a contractor refused to renew his affiliation with the union.
 9. Does firm use hiring hall facilities of Local 38? Describe fully any effort to use the hiring hall, and any experience with it.
 10. Geographic territory served by firm.
 11. Total gross revenue for latest fiscal year.
- D. To be answered by Negro contractors.
1. In what geographic area is most of your work performed?
 2. Is there an agreement, explicit or implicit, with the union that your work be confined to Negro neighborhoods? What is the geographic area to which you are confined?
 3. Is there an agreement, explicit or implicit, with the union that you bid only on smaller jobs? If so, what is the monetary limit for bidding?
 4. Have union business managers, agents, or other officials indicated to you, directly or indirectly, that your work should be confined to the Negro neighborhoods and below a certain amount of money?

5. Describe any incident of harassment or intimidation by union business managers, agents, or other officials.

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II. NEGRO ELECTRICIANS

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I have attached a list of Negro electricians who are not members of the union and who work within the jurisdiction of the union. { Please interview these persons according to the scheme set out below. The interview should not be confined, however, to this scheme if the person has other information about the policies and practices of the union or its JAC. }

A. Background

Obtain information from the interviewee concerning his education, including any special schooling he may have had with regard to electrical work. Determine the length of time he has resided in the Cleveland area, the number of years he has worked as an electrician, indicating the names of his employers, the kind of work he has done, and his present job. Obtain any other information which may indicate his qualifications as an electrician (e.g., any awards received, city tests passed, licenses obtained, etc.).

B. Contacts with Local 38.

1. Determine whether the interviewee has ever applied for membership in Local 38. If so, give the dates and determine the circumstances surrounding the application, including what action if any the union took. If he has any letters or other correspondence from the union, obtain copies.
2. Determine whether the interviewee has ever applied for admission into the apprenticeship program. If so, describe the circumstances and dates of those applications and the action if any taken by the union. Obtain copies of any correspondence which may have been exchanged between the applicant and the union or its JAC.
3. Determine whether the interviewee has ever applied to the union hiring hall to be referred out for a job. Describe the ^{dates} circumstances of those applications, ^{including the date, whether he spoke to BA, whether referred out} and the action if any taken by the ^{union} union. If the person was referred out, indicate the name of the contractor to which he was referred, including ~~xxxxxxx~~ his race and the race of ~~his~~ his employer. ~~Ascertain the number of times the person applied for referral and indicate the names of the officials with whom he spoke and any conversations which may have taken place in connection with his application.~~

Make
Apology

III. NEGRO APPRENTICE APPLICANTS

I have attached a list of Negroes who have applied for admission to the apprenticeship program of Local 38 which is administered by the Joint Apprenticeship Committee. Please interview these persons according to the scheme set out below. The interviews should not be confined, however, to this scheme if the person has other information about the policies and practices of the union or its JAC.

A. Background

Determine the education of the interviewee, including any special schooling he may have had in the electrical field. Ascertain any job experience he may have had in the electrical trade and indicate his present employment, including the name of his employer and the kind of work he does.

B. Application for apprenticeship program.

Determine the circumstances surrounding the interviewee's application for admission to the apprenticeship program. Such information should include but not be limited

to the date or dates of application, whether tests or oral interviews were given, copies of letters which may have been received from the union or its JAC, how the applicant learned of the apprenticeship program, and the action taken, if any, by the union on his application.