

Affiliated  
Bodies Series  
Local Unions  
#51, Detroit, Michigan,  
1940



LAW OFFICES OF  
**JOSEPH A. PADWAY**  
COUNSEL  
AMERICAN FEDERATION OF LABOR

736 BOWEN BUILDING  
WASHINGTON, D. C.

June 27, 1940

Mr. John M. Gillespie, Acting President,  
International Brotherhood of Teamsters, Chauffeurs,  
Stablenen and Helpers of America,  
222 East Michigan Street,  
Indienapolis, Indiana

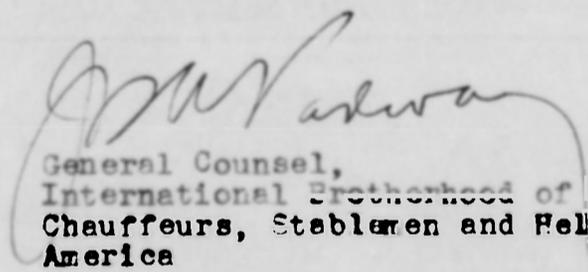
Dear Mr. Gillespie:

I thought you would be interested in the  
letter we received from Mr. Bennett and the reply  
we made thereto. After you have read it be kind  
enough to return it to me.

If there is any comment you care to make  
please let me have the same.

With all good wishes, I am

Sincerely yours,



General Counsel,  
International Brotherhood of Teamsters,  
Chauffeurs, Stablenen and Helpers of  
America

June 18, 1940.

Mr. R. J. Bennett,  
International Brotherhood of Teamsters, Chauffeurs,  
Stablemen and Helpers of America,  
Joint Council No. 43,  
1500 West Fort Street,  
Detroit, Michigan.

Dear Sir:

This will reply to your letter of June 13, 1940. From the facts you present in your letter, it does not appear that the injunction issued by Judge Goldborough has any application whatever.

As we understand, in contacting the Miller High Life Company, you did not ask the employer to set aside his contract with Local #51 and make a contract with you on the ground that the Federation had awarded jurisdiction over beer drivers to you. On the contrary, Local #51's charter had been withdrawn by the International and was no longer in the picture. You approached the employer solely on the basis that you represented a majority of his beer drivers and, therefore, were entitled to exclusive bargaining rights.

If the foregoing is a correct understanding of the situation, then it is clear that the Goldborough injunction is not controlling. That injunction forbids certain activities by the Teamsters, which are justified on the basis of the jurisdictional award made by the Federation. In other words, the injunction forbids the Teamsters from coercing an employer, who is dealing with the Brewery Workers' Union as the representative for his beer drivers, to cease such dealing because the Federation had awarded the beer drivers to the Teamsters. The injunction forbids the mention of, or reliance on, the jurisdictional award. Where, however, the Teamsters demand recognition from an employer on the ground that it is they who have been selected by the beer drivers to represent them, the injunction has no application whatever.

Mr. R. J. Bennett,

#2

June 18, 1940.

If I am wrong in my understanding of the factual situation, please correct any mistakes I have made, and I shall be pleased to consider the matter further and render an opinion accordingly.

Very truly yours,

JOSEPH A. PADWAY

BY

Henry Kaiser.

JAP-HR

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July 1, 1940

Mr. Joseph A. Padway  
736 Bowen Building  
Washington, D. C.

Dear Mr. Padway:

This will acknowledge receipt of your letter of June 27, 1940, with which you enclosed a letter which you received from E. J. Bennett of Joint Council No. 43, Detroit, Michigan, and a copy of your reply thereto.

When called on, I asked him to write you directly for a decision. I want to thank you for same.

I am returning the letter which you received from Brother Bennett and keeping the copy of your reply. There are a number of questions coming in on just the point you have made here; that they are not enjoined for taking anyone working around the brewery, or distributors, as long as they do not coerce them on account of the decision, or interfere with someone under contract to the Brewery Workers at the present time, and they have a majority of those same men, giving them the right to bargain for them.

Very truly yours,

ACTING PRESIDENT.

JEG.CMC