



SOUTHEAST INTERDENOMINATIONAL MINISTERIAL ALLIANCE

3032 53rd STREET . SAN DIEGO, CALIFORNIA 92105
Telephones: (714) 264-7240. .264-8880. .231-7901

March 1979



Dear Sisters and Brothers,

The case of Weber Vs. Kaiser Aluminum and United Steelworkers of America is now before the Supreme Court. This case threatens the very existence of affirmative action programs for minorities and women in industry. In addition, it is an assault on the entire labor movement because it infringes on collective bargaining rights and seeks to block unions from representing their women and minority members.

Across the country, unions and organizations have decided to launch a campaign to defeat Weber. Some of these unions and groups are: United Steelworkers of America; National Education Association; United Mine Workers; United Farm Workers; United Electrical Workers; International Union of Electrical Workers; Oil, Chemical, and Atomic Workers; American Federation of State, County, and Municipal Employees; Coalition of Black Trade Unionists; National Organization for Women; and the National Association for the Advancement of Colored People.

In San Diego, we are initiating an educational campaign to alert the labor movement, civil rights and women's organizations to this new threat to minorities, women, and labor. We are discussing the idea of a Labor/Community speakout against the Weber decision and in defense of Affirmative Action. This would be a broad public meeting open to the active participation of anyone interested.

In order to help build such an authoritative meeting, we are establishing a Labor/Community Affirmative Action Task Force which is open to all and which will make the decisions regarding this speak-out and future activities. We want to take this opportunity to invite you, or a representative of your union/or organization to attend the first meeting of this task force. It will be held on Saturday, March 10, 1979 at 11:00 a.m. at the United Auto Workers Union hall, 2266 San Diego Avenue--San Diego.

If you would like to work with us in this educational campaign or want more information, please contact Mark Friedman at 234-1995.

In Solidarity,

Charles J. Maudlin--President
International Association of Machinists,
Local 685

Tom Johnson - President
National Association for the
Advancement of Colored People

Robert C. Ard - President, Southeast
Interdenominational Ministerial Alliance

Ambrose Brodus-Vice President,
San Diego Urban League

Temille Porter--President
Black Student Council, SDSU

Bernard Ashcraft--President,
Action Interprises Development

Estelle Ricketson--President,
Coalition of Labor Union Women

Elizabeth Reed--So. V. P., Social
Services Union, SEIU 535

Joe R. Alvarado - Business
Manager, Laborers' International
Union of N. A. Local #89

Larry Schwartz--Past President
Community College Guild Local 1931

Alleyne - President.
Black Student Union, SDCC

José Moreno--Executive Director,
Chicano Federation

Earl Davis Jr.
Publisher, Voice News and Viewpoint

Rita Gillmon--Vice President,
Newspapers Guild; Central Labor Council
delegate

*Organizations for identification only (does not mean organizational endorsement)



ELECTIONS

From 2:00p.m. Tuesday, December 12, until 2:00a.m. Wednesday, December 13, the polls will be open for voting in our local's annual election. Members can vote at either the Pacific Highway hall or the Kearney Messa hall. It is hoped that a large number of you, the membership will get out to vote during the 12 hour period when the polls are open. Although many of the officers are running unopposed, there are several important contests for committee positions and the executive board.

In addition to the election--don't forget to attend the regular monthly union meeting!

DECEMBER UNION MEETING SCHEDULE

First & Third Shift Meeting:

TUESDAY, DECEMBER 12
7:30 p.m.

Second Shift Meeting:

WEDNESDAY, DECEMBER 13
12:30 a.m.

The change in the 2nd shift meeting time is due to the holidays. There will be no meeting of the committee persons in December.

Short Changed Again!

In our latest cost-of-living increase which took effect Nov. 6, Solar short changed each of us 6 cents an hour. Six cents may not sound like much but, over the life of the contract, this amounts to over \$340 from each of us. The company justified this rip-off by claiming that the SPECIAL cost-of-living increase of 6 cents we got when we ratified the contract should be deducted from the 20 cents an hour we were due to receive on Nov. 6.

Solar's maneuvering on this one does the old bait-and-switch advertising con one better. The company offered us a special increase of 6¢ an hour to make up for the cost of Kaiser medical insurance which some of our members are now forced to pay. Our negotiating team had made it clear that we would not buy a contract which required our members to pay for any part of our medical coverage. As a compromise, the company offered the special 6¢ cost-of-living increase to make up for the cost of paying for the Kaiser coverage. Now that the contract has been signed, Solar is claiming that the 6¢ wasn't a special increase--only an early increase.

At this time the union has filed a grievance on behalf of the entire membership. The union requested that the matter go directly to arbitration.

(continued on the back page)

WARNING!

At the most recent California Conference of Machinists, delegates were warned of a very scary plan by some of the anti-labor forces in this state. The plan is a ballot initiative which would eliminate state unemployment compensation and state disability insurance.

For people who make a living by working, being laid-off or disabled can be a serious problem. Without unemployment compensation and disability insurance, lay-offs and disability could mean disaster instead of belt-tightening. Both of these programs are positive reforms which working people in this country won during the depression years of the 1930's. Without unemployment insurance, a period of high unemployment could easily find working people in situations like the 30's when millions lost homes, were kicked out of rentals, and had to rely on soup lines to eat. We must not let this happen.

The anti-labor forces hope to pull off this monstrous attack on working people by playing on the opposition to high taxes which is sweeping California and the country. They plan to sell the initiative by emphasizing the elimination of payroll taxes for disability insurance. Additionally, the initiative would require employers to pay a one-time wage increase equal to the employer's payment to the unemployment insurance. That bait may sound good, but, PLEASE DON'T BE FOOLED! Working people, all of us, would be harmed by this initiative.

Right off the top this initiative would rip us off in several ways.

1) Inflation, which is not about to stop, causes the company's contribution to unemployment insurance

(continued on the back page)

SHORT CHANGED AGAIN!

However, so far, the company has refused to co-operate in this move to speed up the grievance. It is difficult to know for sure why the company is delaying things. Some people think that Solar just wants to keep our money as long as possible. Others suggest that Solar wants to find out as much as possible about the union's evidence so the company can come up with some defense of their rip-off.

Many union members can not understand why Solar would pull this sort of stunt. Perhaps this should serve to remind us just how much we need a union to protect us from a company which seems to prefer finding ways to rip us off instead of finding ways to treat us right.

Affirmative Action

(article submitted by Mark Friedman)

WEBER vs. KAISER ALUMINUM and UNITED STEELWORKERS is shaping up as the biggest court battle yet over equal rights for Blacks, minorities, and women. The Weber case challenges the right of unions to negotiate affirmative action programs to overcome employer discrimination in hiring and advancement.

At issue is an on the job training program for skilled jobs at Kaiser plants. Under the plan, half the trainees would be minorities and women in order to help overcome years of race and sex discrimination. Brian Weber, a white male worker, sued to overturn the plan, charging "reverse discrimination."

The local court ruled in favor of Weber, but the decision has been appealed. If upheld by higher courts, the Weber ruling would devastate affirmative action programs in industry. This case is all the more upsetting because if up-held, the ruling seriously limits the right of unions to negotiate programs which the union believes are needed to fight discrimination.

Nationally, unions--especially the United Steelworkers of America--and civil rights groups have taken the lead in organizing opposition to the Weber ruling. They recognize the need for affirmative action programs to make up for past discrimination and prevent future discrimination.

Locally, our union has recognized the importance of this case and the need to defend the rights of the most oppressed in order to preserve and strengthen the union. The Weber ruling is an attack on the entire labor movement. AN INJURY TO ONE IS AN INJURY TO ALL. Our local has passed a resolution opposing the Weber decision and is now "investigating the possibility of organizing public protests with other IAM locals, the Central Labor Council, community groups, and women's organizations." Union members interested in helping with this task should contact Mark Friedman at 234-1995.

WARNING!

to rise regularly. Under this initiative we would never get a thing as the cost-of-living goes up.

2) In times of lay-offs, companies are required to pay a substantial portion of the money we receive in weekly unemployment benefits. Under this initiative the companies would pocket this money and we would never see a penny of it.

3) The requirement that companies pay a part of our unemployment benefits tends to discourage companies from laying-off workers. Eliminating the company obligation to pay part of the unemployment benefit would make laying-off workers an even more attractive way of cutting costs. Passing such an initiative would increase the danger of being laid-off.

In addition to these direct rip offs, this initiative would hold wages down while causing crime to rise. Right now a machinist laid-off by Solar is not likely to run out and take a job at minimum wage. If unemployment compensation were eliminated, non-union job shops could offer jobs at minimum wage and have laid-off workers fighting for the jobs. It is all too easy to imagine a place like Solar subcontracting out huge portions of their work and then sitting back laughing as the laid-off workers were forced by economic necessity to take jobs doing their old work at minimum wage. If that sounds far fetched, remember that you work for a company that will risk generating bad feelings in order to rip you off for 6¢. Imagine how thrilled they would be to get you working for minimum wage!

All in all, this initiative adds up to a nightmare for working people and a pipedream for companies. What makes it even more frightening is that, once on the ballot, corporate interests could afford to spend millions in advertising (mis-leading) and still laugh all the way to the bank. The best way to stop this brutal attack on all working people is to keep it off the ballot! **BE WARNED!** Don't sign any petition to put this criminal attack against our well being on the ballot.

Weber Case: Threat to Affirmative Action

The case of *WEBER vs. KAISER ALUMINUM AND UNITED STEELWORKERS OF AMERICA* is now before the Supreme Court. At issue is an on-the-job training program for skilled jobs at Kaiser Aluminum. The program was negotiated by United Steelworkers in 1974 and covers all Kaiser plants.

Before this program, Blacks and women were effectively excluded from skilled jobs by Kaiser's requirement that craft workers have many years of prior experience.

Under the plan, half of all trainee positions would go to minorities or women until a goal was reached on the proportion of minority workers in the area of each plant. Kaiser's Gramercy, Louisiana, plant had one of the highest goals—39 percent. At all plants the goal for women was 5 percent of the skilled jobs.

Brian Weber, a white male worker at Kaiser Gramercy sued to overturn the plan. He said it was "reverse discrimination."

A federal district court and the Fifth Circuit Court of Appeals have ruled in Weber's favor. If upheld by the Supreme Court, the *WEBER* ruling would be a devastating blow to equal rights for minorities and women in industry. It would prohibit unions from negotiating affirmative-action plans.

It would also nullify the affect of Executive Order 11246, the strongest affirmative-action order ever issued by the federal government.

WHAT'S AT STAKE

Brian Weber's lawsuit against affirmative-action at Kaiser Aluminum is the most dangerous challenge today to equal job rights for all minorities and women.

By attacking the right of the United Steelworkers of America to negotiate an affirmative-action plan in its contract, Weber's suit is also an assault on the entire labor movement. It infringes on collective bargaining rights and seeks to block unions from representing their Black, Chicano, and women members.

Can Weber be defeated? If so, How?

The Fifth Circuit Court of appeals ruling in Weber's favor rested on the claim that Kaiser "never discriminated" against minorities or women.

For years the company kept its Louisiana plants segregated. It excluded Blacks from all of the more desirable jobs. It paid Blacks less than whites for doing the same work. Kaiser not only refused to train Black (or white) employees for skilled crafts positions, but it refused to hire experienced Black craft workers for these positions.

A STRATEGY TO LOSE

But no testimony on Kaiser's record of discrimination was heard in the *WEBER* case. The only witnesses Kaiser called to "defend" the affirmative-action plan were two of its own personnel officers, who assured the court—naturally!—that the company never discriminated.

Kaiser's "defense" is designed to lose the case, which should come as no surprise. After all, the company fought against putting the affirmative-action training program into effect in the first place. It agreed to the plan only because of pressure from the union and federal civil rights laws. Weber has boasted that top company officials are secretly cheering for him.

If all the evidence is presented, the legal case against Weber is powerful; but the courts do not hand down rulings solely—or mainly—on legal grounds. They make political decisions.

The Civil Rights Act of 1964 was a product of a political struggle. The provisions of the law itself are contradictory. Their interpretation and enforcement has been determined by the political pressure exerted by the forces for and against minority and women's rights.

'GRIGGS' DECISION

The court's strongest ruling ever against job discrimination was issued in 1971, under the Nixon Administration, by Chief Justice Warren Burger. In the case of *GRIGGS vs. DUKE POWER COMPANY* the court unanimously declared that the civil rights law prohibits "not only overt discrimination but practices that are fair in form but discriminatory in operation."

A strong case could be made that Kaiser's tests for skilled jobs—"fair in form but discriminatory in operation"—were illegal under this ruling.

The *GRIGGS* decision obviously did not stem from good will on the part of the court or the Nixon administration. Rather, it was one aspect of the government's response to the ghetto uprisings of the 1960's, student protests, and a barrage of lawsuits and protests by Black and women workers.

In the past several years, the top court has been steadily whittling down this sweeping mandate for affirmative-action. In some cases it has ruled that the victims of racial or sexual oppression seeking legal redress must prove not only a pattern of discrimination but also "intent" to discriminate. The court has also upheld seniority systems that perpetuate the effects of past discrimination.

The most serious legal blow was the Supreme Court's *BAKKE* decision last summer, which legitimized the concept that affirmative-action is "reverse discrimination" against white males.

In making these rulings, as well as others restricting the rights of women, minorities, unionists, and workers in general, the Supreme Court is simply responding to the overall government and employer offensive against working people.

EDUCATION

Of course, the movement to defend affirmative-action (and defeat Weber) has a long way to go before it can mobilize thousands of people. Right now the main job is education, and gathering support from any organizations willing to take a stand in defense of minority, women's and labor rights.

Many organizations are beginning to see the importance of defeating Weber. The National Organization for Women, at its October 1978 convention, voted to oppose the Weber decision and to file a court brief against Weber and to "immediately begin a national educational campaign." The National Association for the Advancement of Colored People (NAACP) has also announced plans to file the anti-Weber brief before the Supreme Court. The Coalition of Black Trade Unionists and the National Education Association have adopted anti-Weber resolutions.

While the *BAKKE* case was before the Supreme Court last spring, students took the lead in rallying opposition to Bakke, including a march of 10,000 in Washington. We must bring together the forces that defended affirmative-action against Bakke's challenge, and build on that. We can build bigger and broader actions that can make certain that the Supreme Court rules against Weber.

The key part of this campaign is education; and in doing this we must keep two things in mind.

First, the facts about Kaiser's discrimination should serve as the jumping-off point to refute the whole myth of "reverse discrimination." The amount of miseducation that must be overcome is staggering.

Now is the time for defenders of human rights to take the offensive back from the racists. We need to pound away at the facts and figures that show how anti-Black, anti-woman, and anti-Chicano discrimination today is getting worse in many respects. How the gap between minorities' and whites' income and employment is increasing. How the schools are becoming more segregated, and how this hurts all workers.

Second, the question must be squarely faced, does the call for affirmative action mean that white males have to give up something? Are white males being asked to sacrifice jobs or other gains in order to give minorities or women a fair chance? The answer is no. White male workers have nothing to lose and everything to gain by standing up for the rights of minorities and women.

All working people face these threats—from unemployment, inflation, unfair taxes, social service cutbacks, union-busting. But it is not the aspirations and demands of minorities and women that are responsible for the problems of white male workers. Minorities and women suffer the worst from these economic and social evils.

The companies are the ones who profit from discrimination—by paying less to minorities and women and keeping them in the worst jobs. They profit from keeping workers divided and thereby driving down wages and working conditions for all. They are the only ones who stand to gain by pushing Blacks, Chicanos, and women down even further.

SOLIDARITY

If white workers are tricked into joining the attack on minorities, they will end up worse off than today, not better; because they will be making it impossible for working people to carry out a united fight to improve their conditions of life and work.

Growing numbers of unionists are coming to recognize that solidarity is the key to their own self-defense. Solidarity is not only respecting picket lines of other workers. Solidarity means that the unions must represent all their members. Solidarity means that when a section of workers has been victimized and oppressed, the unions stand up for them and put real muscle behind their demands. Only when the labor movement is united **in defense of genuine equality for the victims of discrimination** can it win full employment. Only then can it defend and win gains for all workers—Black, Chicano, white, men and women.

That's what Weber and his corporate backers are trying to prevent. And that's why Weber's suit is a dagger pointed at the heart of the union movement. Defeating Weber and turning back the offensive against affirmative-action will not be easy, but it can and must be done. The group of people who really benefit from such anti-minority, anti-woman, anti-labor attacks is very small. The forces that can be rallied to oppose them are very large, including the majority of white male workers once they know the facts and hear an explanation of what it really means for them.

Our task is to educate and organize working people to make sure that the Weber decision is overturned by the Supreme Court. We must mobilize support to insure that affirmative action programs are maintained and extended and we must combine this with the demand of jobs for all.

Typesetting and graphics donated by a member of San Diego Typographical Local 221.