

Case #962

3/31/20

Petition by the company for the correction of certain rates incorrectly applied in Fac. Q.

The operations and disposition in each instance is indicated herewith:

1. Second basting, yoke lined.

| Price in use | Correct price |
|--------------|---------------|
| 45.97        | 44.44         |

|                       |       |
|-----------------------|-------|
| The earnings in Q are | 41.18 |
| " " " B & C           | 46.05 |

The price has been in effect a short time and affects about 50% of the work.

It is agreed not to make any change until the general levelling of Fac. Q takes place.

2. Underarm seam sewing:

|                    | Price used | Correct price |
|--------------------|------------|---------------|
| Cord seams 1st op. | 1.39       | 1.18          |
|                    | 1.39       | 1.18          |

|                 |         |
|-----------------|---------|
| Earning in Q is | \$23.00 |
| " in B and C    | 31.00   |

Unknown how long rate has been in effect. Applied to Tuxedos about 50% of the work.

It is agreed to inaugurate the correct rates for both operations.

3. Sewing in sleeves and join shoulders - in lots

| Price used | Correct price |
|------------|---------------|
| 11.83      | 9.47          |

|               |       |
|---------------|-------|
| Earnings in Q | 55.44 |
| " " " M       | 54.49 |
| " " " B&C     | 48.65 |

The price affects about 80% of the work. Not known how long it has been in effect.

It is agreed to put in the correct rate and later add whatever adjustment may be made by the levelling or rate committee.

4. Seam and pocket pressing.



Case #982 3/31/80

Petition by the company for the correction of certain rates incorrectly applied in Fac. Q. The operations and disposition in each instance is indicated herewith:

1. Second pressing, yoke lined.

|              |               |
|--------------|---------------|
| Price in use | Correct price |
| 45.97        | 44.44         |

The earnings in Q are 46.08  
" in B and O 41.18

The price has been in effect a short time and affects about 50% of the work.

It is agreed not to make any change until the general leveling of Fac. Q takes place.

2. Underarm seam sewing:

|            |               |
|------------|---------------|
| Price used | Correct price |
| 1.30       | 1.18          |
| 1.30       | 1.18          |

Earnings in Q is \$23.00  
" in B and O 31.00

Unknown how long rate has been in effect. Applied to Tuxedos about 50% of the work.

It is agreed to inaugurate the correct rates for both operations.

3. Sewing in sleeves and join shoulders - in lots

|            |               |
|------------|---------------|
| Price used | Correct price |
| 11.83      | 9.47          |

Earnings in Q 22.44  
" 24.42  
B&O 40.62

The price affects about 50% of the work. Not known how long it has been in effect. It is agreed to put in the correct rate and later add whatever adjustment may be made by the leveling or rate committee.

4. Seam and pocket pressing.



Tuxedo Grade #3, yoke lined

| Price used | Correct price |
|------------|---------------|
| 6.81       | 5.90          |

|               |       |
|---------------|-------|
| Earnings in Q | 51.71 |
| M             | 38.42 |
| B&C           | 42.36 |

This price applies to less than 50% of the work.

It is agreed to use rate \$5.90 for full lined and 6.81 for yoke lined, whether Tuxedo or sack.

5. Trimming Lots.

| Price used.    | Correct price. |
|----------------|----------------|
| Under 20, 7.86 | 7.86           |
| Over 20, 7.86  | 7.41           |

It is agreed to let these rates stand, as the union desires to apply the saving in item in decision #961.

6. Canvas piecing in Full Dress and Frocks.

| Price used | Correct price |
|------------|---------------|
| 3.91       | 2.55          |

Applies to about 50% of the work.

It is agreed to apply the rates in M for this work.

7. Pocket making dress coats, single.

| Price used | Correct price |
|------------|---------------|
| 14.02      | 14.38         |

It is agreed to correct the rates and then apply the rates used in Factory M for this work.

The Trade Board desires to state that these changes and corrections are not to be cited as a precedent by either party for the correction of long-standing mistakes. It was possible to make these changes because the sections in Q had not yet been levelled.

James Mullenbach.



Tuxedo Grade 43, Yoke lined

|               |      |
|---------------|------|
| Price used    | 6.81 |
| Current price | 5.80 |

|              |       |
|--------------|-------|
| Bonnage in 0 | 51.71 |
| 1            | 50.45 |
| 2            | 49.18 |

This price applies to less than 50% of the work.  
It is agreed to use rate \$5.80 for full lined and  
6.81 for yoke lined, whether tuxedo or sack.

5. Trimming Seta.

|               |                |
|---------------|----------------|
| Price used    | Under 20, 7.88 |
| Current price | Over 20, 7.88  |
|               | 7.41           |

It is agreed to let these rates stand, as the  
union desires to apply the saving in item in decision  
#501.

6. Ganyas piecing in Full Press and Procks.

|               |      |
|---------------|------|
| Price used    | 2.91 |
| Current price | 2.55 |

Applies to about 50% of the work.  
It is agreed to apply the rates in H for this  
work.

7. Pocket making dress coats, single.

|               |       |
|---------------|-------|
| Price used    | 14.02 |
| Current price | 14.35 |

It is agreed to correct the rates and then apply  
the rates used in Factory H for this work.  
The Trade Board desires to state that these changes  
and corrections are not to be cited as a precedent by  
either party for the correction of long-standing mistakes.  
It was possible to make these changes because the sections in  
Q had not yet been levelled.

James Millenbach.



Case # 963 3/31/20 .

The union in behalf of Joe Lebewitz, an edge stitcher.

Lebewitz was discharged for refusing to bushel 11 coats in which two different color silk was used. The coats were passed by regular examiner but were caught by the inspector-tailor. When the coats were brought to the man he refused to bushel them, claiming they had not been held by the regular examiner and that edge pressing had definitely increased the difficulty of bushelling the garments. The manager thereupon suspended the man.

The union contends that the man could not be required to bushel the garment after it had passed his own examiner, and claims that a ruling of the Trade Board was made in case of finishers to this effect.

The union also claims and presents evidence to the effect that the examiner had O K'd two different shades of #4 color.

The company presented two spools of #4 with different shades and also a spool of #14 - a brown shade. No. 4 is grey. The shade or color complained of in the coats was not the same as the No. 14 presented by the company.

After hearing and examining the evidence, the Trade Board is of the opinion that the man was improperly suspended. The fact that the examiner passed the 11 coats taken in connection with his O K of two shades of silk seems to the Trade Board to relieve the man of responsibility. It is quite incomprehensible how eleven coats could be passed with wrong silk by an expert examiner.

The Trade Board directs that Lebewitz be reinstated with back pay for the period of his suspension.

James Mullenbach.



The union in behalf of Joe Lebowitz, an edge stitcher. Lebowitz was discharged for refusing to push 11 coats in which two different color silk was used. The coats were passed by regular examiner but were caught by the inspector-tailor. When the coats were brought to the man he refused to push them claiming they had not been held by the regular examiner and that edge pressing had definitely increased the difficulty of pushing the coats. The manager thereupon suspended the man.

The union contends that the man could not be required to push the garment after it had passed his own examiner, and claims that a ruling of the Trade Board was made in case of finishers to this effect.

The union also claims and presents evidence to the effect that the examiner had O.K'd two different shades of color.

The company presented two spools of #4 with different shades and also a spool of #14 - a brown shade. No. 4 is gray. The shade or color complained of in the coats was not the same as the No. 14 presented by the company.

After hearing and examining the evidence, the Trade Board is of the opinion that the man was improperly suspended. The fact that the examiner passed the 11 coats taken in connection with his O.K. of two shades of silk seems to the Trade Board to relieve the man of responsibility. It is quite incomprehensible how eleven coats could be passed with wrong silk by an expert examiner.

The Trade Board directs that Lebowitz be reinstated with back pay for the period of his suspension.

James Mulienbach.



CASE #966. 4/2/20

THE UNION IN BEHALF OF M. BIAGO, AN OFF-PRESSER.

THIS MAN WAS HIRED AT FACTORY L AND AFTER A WEEK'S WORK, WAS DISCHARGED ON THE GROUND THAT HE HAD PREVIOUSLY BEEN DISCHARGED FROM FACTORY A, AND, THEREFORE OUGHT NOT TO HAVE BEEN HIRED IN FACTORY L.

THE EVIDENCE SHOWS, HOWEVER, THAT BIAGO WAS NOT DISCHARGED AND IT IS ADMITTED THAT HE QUIT THE EMPLOYMENT OF THE COMPANY.

UNDER THE CIRCUMSTANCES, THE MAN WAS IMPROPERLY DISCHARGED AND THE TRADE BOARD DIRECTS THAT HE BE REINSTATED IN FACTORY L WITH PAY FOR TIME LOST BY REASON OF THE DISCHARGE.

JAMES MULLENBACH.



Case 4466. 4/2/50

THE UNION IN BEHALF OF M. BIAGO, AN OFF-PRESSER.

THIS MAN WAS HIRED AT FACTORY L AND AFTER A WEEK'S WORK, WAS DISCHARGED ON THE GROUND THAT HE HAD PREVIOUSLY BEEN DISCHARGED FROM FACTORY A, AND, THEREFORE OUGHT NOT TO HAVE BEEN HIRED IN FACTORY L.

THE EVIDENCE SHOWS, HOWEVER, THAT BIAGO WAS NOT DISCHARGED AND IT IS ADMITTED THAT HE QUIT THE EMPLOYMENT OF THE COMPANY.

UNDER THE CIRCUMSTANCES, THE MAN WAS IMPROPERLY DISCHARGED AND THE TRADE BOARD DIRECTS THAT HE BE REINSTATED IN FACTORY L WITH PAY FOR TIME LOST BY REASON OF THE DISCHARGE.

JAMES MULLENBACH.



4/2/20

The union in behalf of Sam Gibbs, a pocket maker.

Gibbs was sent in by the Union in response to requisition for pocket makers but the company refused to hire him on the ground that he had been irregular in attendance at his work when formerly in their employ.

The evidence shows that some months ago he took a lay-off and worked part of the time for another house. At the close of the lay-off he came back to Hart Schaffner & Marx, remained a day or two, and again went back to the other house. Later, he left and went to Los Angeles on account of illness of his wife. He has already returned and was sent by the union to Factory X for work. The employment manager refused to hire him on the ground that he was an undesirable employe on account of his frequent quitting.

Under the agreement the company is required to hire the worker sent by the union unless he has been recently discharged, is obviously incompetent, or is intoxicated at time of application. None of these conditions are found in this case.

The Trade Board, therefore, directs that Gibbs be hired and be paid for time lost since date of the refusal to hire him as pocket maker.

James Mullenbach.



4/2/20

Case 9887

The union in behalf of Sam Gibbs, a pocket maker,

Gibbs was sent in by the Union in response to  
reputation for pocket makers but the company refused  
to hire him on the ground that he had been arrested  
in attendance at his work when formerly in their  
employ.  
The evidence shows that some months ago he took  
a lay-off and worked part of the time for another  
house. At the time the lay-off he came back to  
work for the company, remained a day or two, and  
again was asked to the other house. Later, he left  
and went to Los Angeles on account of illness of his  
wife. He has already returned and was sent to the union to  
Factory for work. The employment agency refused  
to hire him on the ground that he was an undesirable  
employee on account of his frequent quitting.

Under the agreement the company is required  
to hire the worker sent by the union unless he has been  
recently discharged, is obviously incompetent, or is  
intoxicated at time of application. None of these  
conditions are found in this case.

The Trade Board, therefore, directs that Gibbs  
be hired and be paid for time lost since date of the  
refusal to hire him as pocket maker.

James Sullivan



CASE 968. 4/9/20

THE COMPANY PETITIONS THE TRADE BOARD FOR DISCIPLINE OF MEYER BRESOVSKY, SHOP CHAIRMAN IN FACTORY A.

THE COMPANY BROUGHT THREE CHARGES AGAINST BRESOVSKY.

1. DELIBERATELY CHEATING, BY PASSING TO AN HOUR WORKER A COAT HE HIMSELF HAD PROMISED TO BUSHEL. THIS INCIDENT HAPPENED LAST NOVEMBER, AND THE EVIDENCE IS CONTRADICTORY AND INCONCLUSIVE.

2. REFUSING TO BUSHEL WORK BUT "HOLDS FOR INVESTIGATION" WITHOUT EVEN PAYING ATTENTION TO THE CRITICIZED WORK.

THE EVIDENCE SHOWS THAT THERE HAVE BEEN VERY FEW INSTANCES WHERE GARMENTS HAVE BEEN HELD BY HIM IN HIS SECTION SO THAT THIS CHARGE IS WITHOUT SUPPORT.

3. PREVENTING THE PEOPLE FROM WORKING OVERTIME. THERE IS SOME EVIDENCE IN SUPPORT OF THIS CHARGE IN ONE INSTANCE THAT OF LAST SATURDAY.

THE TRADE BOARD BELIEVES THAT IT WILL BE SUFFICIENT DISCIPLINE NOT TO PERMIT BRESOVITZ TO WORK OVERTIME THE NEXT TIME THE SECTION IS REQUIRED TO WORK OVERTIME, AND DIRECTS THAT THIS BE DONE.

JAMES MULLENBACH.



CASE 988. 4/9/30

THE COMPANY PETITIONS THE TRADE BOARD FOR  
DISCIPLINE OF MEYER BREGOVSKY, SHOP CHAIRMAN IN  
FACTORY A.

THE COMPANY BROUGHT THREE CHARGES AGAINST  
BREGOVSKY.

1. DELIBERATELY CHEATING, BY PASSING TO AN  
HOUR WORKER A COAT HE HIMSELF HAD PROMISED TO BUSHEL.  
THIS INCIDENT HAPPENED LAST NOVEMBER, AND THE EVIDENCE  
IS CONTRADICTIONARY AND INCONCLUSIVE.

2. REFUSING TO BUSHEL WORK BUT "HOLDS FOR INVESTIGATION" WITHOUT EVEN PAYING ATTENTION TO THE CRITICIZED WORK.

THE EVIDENCE SHOWS THAT THERE HAVE BEEN VERY  
FEW INSTANCES WHERE GARMENTS HAVE BEEN HELD BY HIM  
IN HIS SECTION SO THAT THIS CHARGE IS WITHOUT SUPPORT.

3. PREVENTING THE PEOPLE FROM WORKING OVERTIME.  
THERE IS SOME EVIDENCE IN SUPPORT OF THIS CHARGE IN  
ONE INSTANCE THAT OF LAST SATURDAY.

THE TRADE BOARD BELIEVES THAT THE FACTORY  
EVIDENTLY DOES NOT PERMIT BREGOVSKY TO WORK  
OVERTIME THE NEXT TIME THE SECTION IS REQUIRED TO  
WORK OVERTIME, AND DIRECTS THAT THIS BE DONE.

JAMES KULLENBACH.



CASE #969

4/9/20

The union in behalf of Jake Wolberg, #4151, asks discipline for section head, Elsie Grund, for slapping Wolberg.

The circumstances as developed by the evidence are as follows -

Elsie Grund and Wolberg have been employes of the Company for several years with nothing against their record until the present trouble arose. They were very good friends, so much so that other people in the section believed that the section head favored Wolberg in his work. There was a good deal of joking and playing between them.

On April 1st toward the close of the day Wolberg asked her to look over his work as he wanted to leave for a meeting. In his attempt to hurry her he seized her wrist and twisted it and she slapped him in the face. Some angry expressions were passed back and forth and the controversy ended.

After hearing the evidence the Trade Board finds that the incident which gave rise to the case was the natural outcome of the previous familiarities that were tolerated by both parties and by the management. A shop official - such as a section head - needs to be on guard against conduct of the kind that the evidence disclosed in this case. A section head, of course, should endeavor to maintain an agreeable relationship with the workers but must not pass over the familiarity which destroys discipline by setting an example of unwise conduct to the people of the shop.

The Trade Board is of the opinion that it would be advisable to transfer the section head to the other vest factory and the Trade Board directs that this be done.

JAMES MULLENBACH.



The union in behalf of Jake Wolberg, #1151, asks discipline for section head, Elsie Grund, for slapping Wolberg.

The circumstances as developed by the evidence are as follows -

Elsie Grund and Wolberg have been employees of the Company for several years with nothing against their record until the present trouble arose. They were very good friends, so much so that other people in the section believed that the section head favored Wolberg in his work. There was a good deal of joking and playing between them.

On April 1st toward the close of the day Wolberg asked her to look over his work as he wanted to leave for a meeting. In his attempt to hurry her he seized her wrist and twisted it and she slapped him in the face. Some angry expressions were passed back and forth and the controversy ended.

After hearing the evidence the Trade Board finds that the incident which gave rise to the case was the natural outcome of the previous familiarities that were tolerated by both parties and by the management. A shop official - such as a section head - needs to be on guard against conduct of the kind that the evidence disclosed in this case. A section head, of course, should endeavor to maintain an agreeable relationship with the workers but must not pass over the familiarity which destroys discipline by setting an example of unwise conduct to the people of the shop.

The Trade Board is of the opinion that it would be advisable to transfer the section head to the other vest factory and the Trade Board directs that this be done.

JAMES MULLENBACH.



The union in behalf of Anna Sunda, Factory C, complains of reductions of wages.

The work and wage record of the girl follows:

March 3, 1919, Hired as miscellaneous operator at \$15.00 - week worker

March 31, 1919, piece-work, stitching seams

April 28, 1919, week-work, double needle mach. \$20.00

May 19, 1919, week-work, double needle mach. \$22.00

July 14, 1919, week-work (\$5.00 award) \$27.00

Aug. 4, 1919, piece-work \$27.00

October 10, 1919, week-work, joining \$18.00

Dec. 16, 1919, week-work, A. H. raising \$18.00

Jan. 19, 1920, piece-work piping bottoms

The union complains of reduction of wages at following points:

1. April 28, 1919, when she went from piece-work to week-work and received \$20.00 a week. The union contends she should have been given her hour rate based on piece-work earnings.

The company claims that girl asked for change to other operation but this is denied by girl and the evidence supports her contention.

This item in the general complaint is therefore allowed, and the company directed to pay girl for the period from week ending April 28 to week July 28, inclusive, at a rate of 67¢ per hour. The trade board computes his hour rate on his piece-work earnings from week ending March 31 to week ending April 21, 1919, inclusive. The total number of hours worked is 667.5 and the total amount of pay she received during this period was 313.00. On the basis of 67¢ an hour, she should have received \$447.22, and there is due her, therefore, \$134.22.

The union also complains of the reduction to \$18.00 a week when she went on joining, and later on armhole raising, but after going into the matter this complaint was withdrawn by the union.

James Mullenbach.



The union in behalf of Anna Sundt, Factory C, complains of reductions of wages.

The work and wage record of the girl follows:

March 3, 1919, hired as miscellaneous operator at \$18.00 - week work  
March 31, 1919, piece-work, stitching seams  
April 28, 1919, week-work, double needle mach. \$20.00  
May 19, 1919, week-work, double needle mach. \$22.00  
July 14, 1919, week-work (\$8.00 award) \$27.00  
Aug. 4, 1919, piece-work \$27.00  
October 10, 1919, week-work, joining \$18.00  
Dec. 16, 1919, week-work, A. H. raising \$18.00  
Jan. 19, 1920, piece-work piping bottoms

The union complains of reduction of wages at following

points:

1. April 28, 1919, when she went from piece-work to week-work and received \$20.00 a week. The union contends she should have been given her hour rate based on piece-work earnings.

The company claims that girl asked for change to other operation but this is denied by girl and the evidence supports her contention.

This item in the general complaint is therefore allowed, and the company directed to pay girl for the period from week ending April 28 to week July 28, inclusive, at a rate of 87¢ per hour. The trade board computes his hour rate on his piece-work earnings from week ending March 31 to week ending April 21, 1919, inclusive. The total number of hours worked is 687.3 and the total amount of pay she received during this period was \$18.00. On the basis of 87¢ an hour, she should have received \$447.22, and there is due her, therefore, \$134.22.

The union also complains of the reduction to \$18.00 a week when she went on joining, and later on machine raising, but after going into the matter this complaint was withdrawn by the union.

James Milford



Complaint by the union that foreman and assistant foreman work after the people leave the shop.

The facts in this case are admitted. Some two or three weeks ago the trimmers in Factory L refused to work an hour overtime, alleging that they were going to the union office to make a complaint about their work. The foreman and the examiners then worked for an hour trimming the lots.

The union cites this as an example of improper employment of foreman and examiners. The company contends that it has the right to have foreman serve in an emergency.

There is nothing in the agreement to determine the issue in this case, neither is there any ruling by the Board of Arbitration, dealing decisively with the question. The Board of Arbitration referred to this issue in an appeal from trade board case #78 April 17, 1914, and made certain recommendations to both parties, but no rule was laid down.

Under the circumstances the Trade Board believes that it is advisable to refer the matter again to the Board of Arbitration for consideration.

James Mullenbach.



Complaint by the union that foreman and assistant foreman  
work after the people leave the shop.

The facts in this case are admitted. Some two  
or three weeks ago the foreman in Factory I refused to  
work an hour overtime, alleging that they were going to the  
union office to make a complaint about their work. The foreman  
and the examiners then worked for an hour turning the lots.

The union cites this as an example of improper  
employment of foreman and examiners. The company contends that  
it has the right to have foreman serve in an emergency.

There is nothing in the agreement to determine the  
issue in this case, neither is there any ruling by the Board  
of Arbitration, dealing decisively with the question. The Board  
of Arbitration referred to this issue in an appeal from Trade  
Board case #78 April 17, 1934, and made certain recommendations  
to both parties, but no rule was laid down.

Under the circumstances the Trade Board believes  
that it is advisable to refer the matter again to the Board  
of Arbitration for consideration.

James H. Hildebrand



The union brings complaint about a change of system of examining bushelling in Factory L.

Until a day or two ago the work of the finishers was examined immediately after the workers had finished the coat. A couple days ago the examiners were stationed after the cleaning section where the coats were examined both for cleaning and finishing.

The company claims that the change permits a better examination of the finishing as the coat is clear of bastings and ends when it comes to the examiner. The company points out that this system is in use in some of the factories of the company tho others do not use it.

The union points out that the old system had been in vogue in Factory L for ten years or more; that the new system means additional work for the finishers as it is impossible for cleaners always to clean a coat without breaking and stretching the felling, so that instead of removing friction between the examiners and finishers, the new system would increase it, as disputes would inevitably arise regarding alleged defects. The union had coats to show how the cleaning ripped or stretched the finishing.

Under the circumstances, the trade board finds that the work of the cleaners would so effect the work of the finishers as to make uncertain the responsibility for oversights and poor work by the finishers, and would undoubtedly give rise to disputes as to whether the finisher or the cleaner had caused the defect.

The trade board directs, therefore, that the system of examining that has hitherto been in use in Factory L be restored and maintained.

James Mullenbach,



4/15/80

Case # 975

Page 2

The union brings complaint about a change of system of examining bottling in Factory I.

Until a day or two ago the work of the finishers was examined immediately after the workers had finished the coats. A couple days ago the examiners were stationed after the cleaning section where the coats were examined both for cleaning and finishing.

The company claims that the change permits a better examination of the finishing as the coat is clear of dust and ends when it comes to the examiner. The company points out that this system is in use in some of the factories of the company the others do not use it.

The union points out that the old system had been in vogue in Factory I for ten years or more; that the new system means additional work for the finishers as it is impossible for cleaners always to clean a coat without breaking and stretching the filling, so that instead of removing friction between the examiners and finishers the new system would increase it, as disputes would inevitably arise regarding alleged defects. The union had coats to show how the cleaning ripped or stretched the finishing.

Under the circumstances, the trade board finds that the work of the cleaners would be affected the work of the finishers as to make uncertain the responsibility for overights and poor work by the finishers, and would undoubtedly give rise to disputes as to whether the finisher or the cleaner had caused the defect.

The trade board directs, therefore, that the system of examining that has hitherto been in use in Factory I be restored and maintained.

James Mulvihill



Case #974 A

4/19/20.

The union preferred charges against Frank Picha, foreman of Factory B - 2, alleging:

1. That where shop chairman was taking up complaint in the shop, the foreman told him he was none of his business and ordered him to go to his place.

2. That in connection with this same complaint he had called the shop chairman a "wild indian".

This case was really a counter complaint against the foreman regarding his conduct in connection with the incidents related in Case 974, and the trade board regards the matter as sufficiently dealt with in the decision of that case without further comment.

James Mullenbach.



4/19/20.

Case #974 A

The union preferred charges against Frank Pich

foreman of Factory B - S, alleging

1. That where shop chairman was taking up  
complaint in the shop, the foreman told him it was none  
of his business and ordered him to go to his place.

2. That in connection with this same complaint  
he had called the shop chairman a "wild Indian".

This case was really a counter complaint against  
the foreman regarding his conduct in connection with the  
incidents related in Case 974, and the trade board regards  
the matter as sufficiently dealt with in the decision of  
that case without further comment.

James Mulholland.



4/21/20

The union in behalf of Monte Seconda, an employe on the 6th floor of trimming room complains that he did not get increase of July 9 or Dec. 15, 1919.

The company contends that Seconda is on office pay roll; that he does not do any work of the tailor shops, and hence, does not come under the agreement.

The union points out that Seconda presses out the seams in the making up of piping (Formerly the company purchased this material in form ready for use in tailor shop).

The facts in the case are that Seconda was hired last June at rate of \$18.00. While he claims he had some experience in his brother's shop, it seems evident that he is not an experienced worker as the term is usually understood. His work is, and has been, in general, to press out the seams on the piping, tho at times he has run a sewing machine and at others tagged the rolls of finished piping, those these have been quite incidental.

The company claims the work is simple; is not directly connected with the tailoring of a coat and should not be considered by the Trade Board as falling under the agreement.

On the other hand, the union points out that the operation is no simpler than many others in the tailoring of garment; that it is a necessary part of the tailoring; and that the man uses the tools of the trade.

After hearing the evidence and investigating the work, the Trade Board is of the opinion -

1. The work should be regarded as a part of the essential work of tailoring a garment; and that therefore the presser is under the agreement.

2. That Seconda is entitled to the increase of 20% of the award of Dec. 15, 1919, but not of July 9th, 1919, as he was an inexperienced worker employed less than three months.

Back pay in accordance with the award of Dec. 15 relating to increase for week workers is to be given.

James Mullenbach.



The union in behalf of James Secunda, an employee on the 5th floor of Crimmins room complains that he did not get increase of July 9 or Dec. 15, 1919.

The company contends that Secunda is an office boy only; that he does not do any work of the tailor shops, and hence, does not come under the agreement.

The union points out that Secunda presses out the seams in the making up of piping (formerly the company purchased this material in form ready for use in tailor shop).

The facts in the case are that Secunda was hired last June at rate of \$18.00. While he claims he had some experience in his brother's shop, it seems evident that he is not an experienced worker as the term is usually understood. His work is, and has been, in general, to press out the seams on the piping, the at times he has run a sewing machine and at others tagged the rolls of finished piping; these have been quite incidental.

The company claims the work is skilled is not directly connected with the tailoring of a coat and should not be considered by the Trade Board as falling under the agreement.

On the other hand, the union points out that the operation is no simpler than many others in the tailoring of garments; that it is a necessary part of the tailoring; and that the man uses the tools of the trade.

After hearing the evidence and investigating the work, the Trade Board is of the opinion -

1. The work should be regarded as a part of the essential work of tailoring a garment; and that therefore the presser is under the agreement.
2. That Secunda is entitled to the increase of 20% of the award of Dec. 15, 1919, but not of July 8th, 1919, as he was not inexperienced worker employed less than three months.
- Back pay in accordance with the award of Dec. 15 relating to increase for work workers is to be given.

James W. McPherson.



4-21-20.

The company petitions Trade Board for discipline of Sam Gordon, Shop chairman K-4, for improper conduct as an officer of the union, for refusing to do work required by him, for uncalled for interference with the management by ordering the people not to do certain work required of them by the specifications, by refusing to work overtime and by holding conferences in the shop during working hours.

The evidence of the company shows that up to three or four weeks ago there had been no serious complaint of Gordon's conduct. About a month ago when silk trousers came into the shop, the two deputies on the Rate Committee made an arrangement to have certain people in each section do the work so that compensation for the extra work could be made with greater facility and definiteness - Some four or five days after this arrangement was in force a girl who was one of the selected employees refused to go on with the work and was upheld in her refusal by Gordon altho he knew of the arrangement made by the deputies. The manager told Gordon he would suspend the girl if she continued to refuse to do the work and Gordon replied - "go ahead and suspend her but I'll warn you what will happen" - The girl was suspended at 4:30 and no one would work overtime that evening. The next morning the pocket facers stopped work and were idle about an hour and a half - At 9:30 the manager tried to get pocket makers to help out but Gordon objected saying he would be responsible if the pocket makers had to wait for work. As a matter of fact they did have to wait for work and had to go home. During the next few days, there was low production in some sections - First the pocket facers laid down, and new ones had to be hired; then the pocket piecers began to lay down and extras were put on - Next the trimmers started to lay down and extras had to be sent to the section.

As to Gordon refusing to do his own work, it appears that he had a lot requiring colored silk - He found a shortage and turned the lot back after working on it. Later the lot was returned to him and after working on it he came on another shortage and turned lot over to the management. The lot was again brought to him and he refused to complete the lot. The company completed the lot.

The other charges against Gordon do not seem to have much support evidence, Gordon states that during the three or four weeks while silk goods have been coming in he has been in the shop only two or three hours a day because of illness in his home; claims he did not know of any special arrangement regard silk goods but thought they were to be treated the same as "2" quality - Denies influencing people to lay down, was not around the shop enough - Did not finish the lot because he thought that



The company petitions Trade Board for discipline of Sam Gordon, Shop chairman A-4, for improper conduct as an officer of the union, for refusing to do work required by him, for unexcused absence with the management by ordering the people not to do certain work required of them by the specifications, by refusing to work overtime and by holding conferences in the shop during working hours.

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curing one shortage was enough.

The Trade Board finds that Gordon had no right to refuse to finish out the work on the lot; if he had a complaint about shortage he could take it up in the regular way - As to upholding the girl in her refusal the Trade Board hold that Gordon was wrong in his action- His statement that he did not know of the arrangement is not credible as the arrangement was made for the entire factory and had been in operation several days before the girl refused to do the work - The most serious aspect of this incident was his lack of cooperation in carrying out an arrangement made by the Rate Committee, of which his own duputy was a member.

The evidence did not establish a connection between Gordon and the sections that fell off in their production. While that connection can not be definitely shown it is a suspicious circumstance that this slackening in output occured at a time when the controversy regarding the work of the girl Mildred arose.

The Trade Board is of the opinion that the **exposure** of the condition in the factory will work to restoration of the former standards, and perhaps to restoration of the previous good cooperation between the shop chairman and the management. The Trade Board is reluctant to proceed to drastic action while any **reasonable** expectation remains of a return to the former satisfactory relations - The Trade Board expects that **Gordon** will avoid future actions of the kind complained of and begin again proper cooperation with the management.

James Mullenbach.



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James Mullinbach.



The union in behalf of Anna Brooks, petitions for back pay during period of two weeks, while she was engaged at piece-work on side seam stitching.

This girl was transferred from A to B as a patch stitcher. Later, she was transferred from A to B as a patch stitcher. Later, he was placed at waist seam back making; when that section was abolished she became a miscellaneous operator, stitching belts and other work. The management complained of her low production as an hour-worker and she was transferred to side seam stitching. She explains this by the fact that working on small jobs she has to spend much time getting her hour permit. She pointed this out to the management and the chairman at the time. There seems to have been good ground for her contention tho the actual work tickets are not now available. She complained thru the shop chairman that the section was overcrowded and that she was not able to make her wages. She worked first as a week worker in this section and later as an hour worker.

The company claims there was plenty of work in the section, or would be if the people in the section were willing to do portions of this work on which there was no piece work rates at hour work.

The union denies this and claims that a joint contemporaneous investigation showed that there was not enough work for the section. The union also claims there was no need of transferring her to this section as there was opportunity in the pocket making section and other sections where the earnings were nearer the level of the original wages in patch stitching.

An examination of the pay rolls shows that for two weeks while she was employed at side seam stitching her earnings fell off about one half. She was in the section from Feb. 23 to March 3rd. The record is ---



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The union in behalf of Marie Schneider, a discharged canvas baster, Factory X.

This girl was suspended for refusing to fold the canvas after she had finished basting it.

The union claimed that this requirement was not in force generally in the other factories and that the company was attempting to increase the work of the section in the new factory.

The company claims that the requirement is a proper one as it makes for great efficiency in handling the garments, and would prevent the section in this new factory from falling into the sloppy and inefficient methods of the other factories.

There is no question that if the canvas basters were to fold and pile the canvas as they receive them it would be a more desirable method of handling the work, tho it would undoubtedly require more time of the workers.

The practice in the others is found to be as follows: In A, B, C and J they do not fold or pile the canvas. In L they fold it once and pile on banch near them.

Under the circumstances the trade board rules that the general standard of work does not require the canvas basters to fold and they are not be to required to do it in Factory X.

The girl was improperly suspended and is reinstated with back pay for time lost during period of suspension.

James Mullenbach.



4/23/20.

4978

The union in behalf of Marie Schneider, a discharged  
canvass baster, Factory X.

This girl was suspended for refusing to fold the  
canvass after she had finished basting it.

The union claimed that this requirement was not  
in force generally in the other factories and that the  
company was attempting to increase the work of the section  
the new factory.

The company claims that the requirement is a proper  
one as it makes for great efficiency in handling the garments,  
and would prevent the section in this new factory from falling  
into the sloppy and inefficient methods of the other factories.

There is no question that if the canvass basters were  
to fold and pile the canvass as they receive them it would  
be a more desirable method of handling the work, tho it  
would undoubtedly require more time of the workers.

The practice in the others is found to be as follows:  
In A, B, C and J they do not fold or pile the canvass. In L  
they fold it once and pile on bench near them.

Under the circumstances the trade board rules that  
the general standard of work does not require the canvass  
basters to fold and they are not to be required to do it  
in Factory X.

The girl was improperly suspended and is reinstated  
with back pay for time lost during period of suspension.

James Mullerbach.



Case #980

4-27-20.

The Union in behalf of Lillian Levin, a  
discharged armhole baster, Factory X.

This case was settled by agreement  
after suggestion from the chairman.

The girl is to be reinstated with loss  
of one day's pay, to begin work in Factory R  
instead of X.

James Mullenbach.



4-27-30.

Case #980

The Union in behalf of Lillian Levin, a  
discharged armhole baster, Factory X.

This case was settled by agreement  
after suggestion from the chairman.

The girl is to be reinstated with loss  
of one day's pay, to begin work in Factory R  
instead of X.

James Mulienbach.



4-30-20.

The union in behalf of S. Deutsch #2406 -  
Factory J - complains that he did not receive December  
increase -

The union claims the man was a week worker and  
entitled to the regular increase for week workers.

The company claims he was a piece worker with  
a guaranteed minimum of \$33.00 a week.

The pay roll shows that he worked on several  
kinds of pressing --- Seam and pocket pressing, belt,  
linings and tape pressing - He moved from one floor  
to another for this work. At one time the manager  
wanted him to go on piece work as a seam and pocket  
presser but the man objected and was continued on the  
\$33.00 basis doing miscellaneous pressing.

The evidence in the case supports the union's  
contention - A piece worker with minimum guarantee is  
customarily employed on one kind of **work** in a specific  
section, with limited duration of the guarantee till  
the worker becomes acquainted with the particular piece  
work operation - The whole arrangement in such a case  
look forward to permanent transfer to piece work and  
the minimum is maintained only as a temporary arrangement.  
In the present instance the man was not located in one  
section by moved about the shop as necessities of work  
required him.



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-2-

All the facts support the claims that he was a miscellaneous presser on a salary of \$33.00 a week.

Under the circumstances the Trade Board finds that he is entitled to the regular increase for week workers as provided in the award of December 15 - 1919 -

James Mullenbach.



All the facts support the claim that he was a miscel-

laneous presser on a salary of \$35.00 a week.

Under the circumstances the Trade Board

finds that he is entitled to the regular increase

for work workers as provided in the award of December

15 - 1919 -

James M. Henderson

sent to the section.

As to the



Case #1

5/6/20.

The union in behalf of Sophie Lorent, a discharged sleeve tacker, Factory X.

This girl was discharged for refusing to bushel work and for returning her work in disorderly condition.

The foreman required her to bushel four coats that were improperly felled. The girl objected on the ground that (1) this would require trimming out the sleeves and ripping the tacking (2) that this had always been done hitherto where they had been required to bushel.

The company exhibited one lot of coats which they claim had been returned out of order. The union contended that the coats had become mixed by reason of much handling.

The Trade Board rules -

(1) That girl is required to bushel work of the kind that was exhibited to the Trade Board but the work must be given to her in the same condition as it left her hand-

2 She is to return the coats piled up as she received them. This is the requirement of the specification and must be observed.

3 The girl is to be reinstated in Factory R, without back pay, to begin work Friday morning, May 7th.

James Mullenbach.

*Dis charge  
Dispute over work*



5/6/20.

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James Mulienbach.

*His change  
dispute was not*



Case #3

5/8/20.

The union in behalf of Pauline Walters, a discharged collar stitcher, Factory J-3.

This girl was discharged for making stitches too long.

The evidence showed that a girl had been suspended for this same cause some weeks ago and had been reinstated with back pay with an understanding that the rate committee was to make a specification defining the number of stitches, etc.

Under the circumstances the Trade Board directs that the girl be reinstated with back pay during period of suspension.

James Mullenbach.

*Discharge  
Poor Work*



5/8/20.

Case #3

The union in behalf of Pauline Walters, a

discharged collar stitcher, Factory 1-3.

This girl was discharged for making stitches too

long.

The evidence showed that a girl had been suspended

for this same cause some weeks ago and had been reinstated

with back pay with an understanding that the rate committee

was to make a specification defining the number of stitches,

etc.

Under the circumstances the Trade Board directs

that the girl be reinstated with back pay during period

of suspension.

James Mullerbach.

Blackboard  
Over Black



5/10/20.

The union in behalf of Joe Groff, an armhole raiser, Factory B, asks back pay for periods of two suspensions.

The facts and circumstances of the suspensions are admitted. The manager found several coats of Groff's faulty in that they were not stitched the proper width - 1/4 of an inch. While discussing the work with Groff and the shop chairman, the manager stated he was going to suspend Groff. Whereupon the shop chairman demanded that the coats be held for investigation. Later, Groff was suspended. When he appeared at the labor department with his suspension, he was reinstated pending investigation of the coats. After four days time had elapsed and the coats were still held, the manager insisted that Groff bushel them as the manager required. Groff refused and was again suspended. He was reinstated on condition that he bushel the coats.

In case of the first suspension, the union contends that the manager had no right to suspend Groff after the shop chairman had requested the coats be held. The company contends that Groff had been notified that he was to be suspended before the chairman asked to have the coats held, and the handling of the suspension notice to him was only a formality; that to pay for the time will result in direct suspension without any consultation regarding work.

The union contends, however, that the question of the work was under discussion and that if the informal notice of suspension forecloses the chairman from asking that the work be held for investigation, the protection provided by rule to hold for investigation will be nullified, as a manager will only need to give informal notice to a worker of suspension, for the coats would naturally be held any way as evidence for the company.

The trade board has been impressed by the considerations urged by both sides in this instance but believes that the position of the union in this case ought to be supported and accordingly rules that Groff should receive back pay for the time lost during the first suspension.

As to the second suspension, it is clear that Groff was required by the ruling of the board of arbitration to bushel the work without further protest after the legal time within which he could hold the coats had expired. In this instance the trade board finds no ground for granting back pay, as suspension was proper.

James Mullenbach.

*Discharged  
Held for Investigation*



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The facts and circumstances of the suspensions are admitted. The manager found several coats of Groff's faulty in that they were not stitched the proper width 1/4 of an inch. While discussing the work with Groff and the shop chairman, the manager stated he was going to sue Groff. Whereupon the shop chairman demanded that the coat be held for investigation. Later, Groff was suspended. When he appeared at the labor department with his suspension, he was reinstated pending investigation of the coat. After four days time had elapsed and the coats were still held, the manager insisted that Groff punish them as the manager required. Groff refused and was again suspended. He was reinstated on condition that he punish the coats.

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James Mullerbach.



5/10/20.

The company petitions the trade board for the discipline of Max Michaelson, a union official, in Factory G, for irregular attendance, habitual tardiness and for actions unbecoming to a union official by endeavoring to belittle the management of the shop.

1.. As to irregular attendance, it appears from the record that Michaelson lost one week of time (the week ending March 29) since March 8th. This absence was due to union business. He also was absent April 5th and April 26th, being away on organization business.

1. As to tardiness, the record shows -

3 mornings at 8/00  
3 " " 8/30  
1 morning at 9/00  
3 mornings " 10/00

Michaelson explains that in some instances he was detained at home on account of illness of his boy, and in the three cases of reporting at 10/00 he was out on union business. As the boy has recovered he expects that his irregularity will cease.

3. Belittling the management.

Wednesday afternoon Michaelson did not show up for work. Thursday morning he appeared at 8/00. The company testifies that the manager stopped him and inquired the reason as to his irregular attendance in general and his failure to return the previous afternoon; that Michaelson told the manager he could investigate. The manager told Michaelson to wait until the labor manager arrived. Michaelson waited a minute or two and then went upstairs to work despite the protests of the manager. Michaelson states that he was met by the manager who in a very excited way began to "hollar" at him and say "he was not going to stand for the coming late" and ordered him not to go to work until he saw the labor manager. Michaelson waited a while and then went to work as he thought the labor manager could see him when he came in and he could see no good reason for waiting.

Another instance of belittling the management arose, the company claims, when the manager asked the top stitchers to take work before the B.H. workers, as the work was slow coming thru the B.H. section. Michaelson and the other union officials refused to do so on the ground that it made the work more difficult for the B.H. workers.

After hearing the evidence, the trade board finds



5/10/20.

Case #4

The company petition the trade board for the discipline of Max Michaelson, a union official, in Factory G, for irregular attendance, habitual tardiness and for actions unbecoming to a union official by endeavoring to belittle the management of the shop.

1. As to irregular attendance, it appears from the record that Michaelson lost one week of time (the week ending March 29) since March 8th. This absence was due to union business. He also was absent April 5th and April 6th, being away on organization business.

2. As to tardiness, the record shows -

3 mornings at 8/00  
3 " " 8/30  
1 morning at 9/00  
3 mornings " 10/00

Michaelson explains that in some instances he was detained at home on account of illness of his boy, and in the three cases of reporting at 10/00 he was out on union business. As the boy has recovered he expects that his irregularity will cease.

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Another instance of belittling the management arose, the company claims, when the manager asked the strikers to take work before the B.H. workers, as the work was slow coming thru the B.H. section. Michaelson and the other union officials refused to do so on the ground that it made the work more difficult for the B.H. workers.

After hearing the evidence, the trade board finds



Case #4  
Page 2.

1. That Michaelson has been somewhat irregular in attendance and tardy to his work a few times but the trade board has been assured that the condition which brought about this irregularity no longer exists so that regular attention of Michaelson to his work is to be expected.

2. The trade board finds that the action of Michaelson in going to his work against the order of the manager was improper, as was also his refusal to take work before it reached the B.H. workers. This involved no additional work for Michaelson or the other top stitchers and if it did mean additional work for the B.H. makers, that could be taken up in the regular way.

The trade board is impressed with the argument of the company that this section being a small section any irregularity of attendance makes itself felt in the production of the shop. The fact that practically all of the sections are union officials makes it all the more imperative that the members of the section appreciate their responsibility and reduce absence and tardiness to a minimum. The Trade Board believes that as a result of the hearing there will be definite improvement in this respect. As for Michaelson, the trade board recognizes that his reputation hitherto as a worker and as a union official has been excellent and does not find that any action at this time is necessary beyond the criticism expressed in this decision.

James Mullenbach.

Discipline - Shop chairman.



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2. The trade board finds that the action of Michaelson in going to his work against the order of the manager was improper, as also his refusal to take work when it was offered the B.E. workers. This involved no additional work for Michaelson or the other top stitchers and if it did mean additional work for the B.E. makers, that could be taken up in the regular way.

The trade board is impressed with the argument of the company that this section being a small section any irregularity of attendance makes itself felt in the production of the shop. The fact that practically all of the sections are union officials makes it all the more imperative that the members of the section appreciate their responsibility and reduce absence and tardiness to a minimum. The Trade Board believes that as a result of the hearing there will be definite improvement in this respect. As for Michaelson, the trade board recognizes that his reputation hitherto as a worker and as a union official has been excellent and does not find that any action at this time is necessary beyond the criticism expressed in this decision.

James Mullendach.

Discipline - Shop chairman.



Case #5 - 5-10-20.

The union in behalf of Ida Schultz, a discharged lining sewer, Shop 5.

This girl was discharged for repeated petty offences, not giving due heed to manager, belittling him before other workers and throwing in remarks when not engaged in direct conversation.

There was some evidence in support of these charges but not conclusive enough to warrant radical action. The Trade Board directs that she be reinstated, without back pay, and be transferred to Fac. K, to begin work Tuesday morning.

James Mullenbach.

Discharge-  
Behavior.



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without back pay, and be transferred to Pac. K. to begin  
work Tuesday morning.

James Miltenbach.

Discharge-  
Behavior.



Case #7

5/12/20.

The union asks for reinstatement of H. Behr,  
a discharged armhole raiser of R-2.

This man was discharged for repeatedly doing bad work. The manager states that he has had to complain of the inefficiency of Behr continuously. The immediate occasion for his suspension was the work on six coats. Four of the coats had been bushelled by the company as the manager was under the impression that the discharge would not be taken up by the trade board but two of the coats were presented in evidence showing damages to the parts in the course of the bushelling as well as general low standard of work.

The union pointed out that the goods were very difficult to handle and that Behr has only recently learned to do armhole raising.

Admitting the contention of the union it seems clear that Behr is too inefficient and careless in his work to be retained, and the discharge is confirmed.

JAMES MULLENBACH.

Discharge-  
Poor work.



5/12/20.

Case #7

The union asks for reinstatement of H. Behr,  
a discharged workman, raise of R-2.

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bad work. The manager states that he has had to complain  
of the inefficiency of Behr continuously. The immediate  
occasion for his suspension was the work on six coats.  
Four of the coats had been pushed by the company as the  
manager was under the impression that the discharge would  
not be taken up by the trade board but two of the coats  
were presented in evidence showing damages to the parts  
in the course of the bushing as well as general low  
standard of work.

The union pointed out that the goods were very  
difficult to handle and that Behr has only recently learned  
to do work raising.

Admitting the contention of the union it seems  
clear that Behr is too inefficient and careless in his work  
to be retained, and the discharge is confirmed.

JAMES MULLENBACH.

Discharge-  
Poor work.



5/12/20.

The union asks reinstatement of L. Rothstein, discharged sleeve maker, A-5.

This girl was discharged for refusal to carry sleeves she had made to the presser's place.

The girl claims she never carried sleeves, when completed, to the pressers' station.

The company's evidence is to the effect that girls always carried the sleeves, except in some instances where the sleeves required special work, or unless a bundle fell upon the floor, in which case the examiner carried over the work.

The evidence for the union by three girls in the section is that the work was carried over by the examiner except sometimes when the lot was small, the girls carried the work back to the presser.

Nothing is clear about the evidence in this case except that it is contradictory; and the contradiction and confusion arises probably out of the mixed practice of handling the work.

The trade board rules that the girls are to carry one half the work and the examiner the other half. This is probably what is happening in the section now. This is to apply during sack coat season only.

The girl is to be reinstated without back pay and carry her share of the work hereafter.

JAMES MULLENBACH.

Discharge-  
Dispute our  
Shop practice.



Discharge -  
Dispute on  
Shop practice.

JAMES MULLENBACH.

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discharged sleeve maker, A-5.

The union asks reinstatement of L. Rothstein,



CASE #8.

5/15/20.

The company petitions the Trade Board for a reconsideration of Case #8, concerning the disposition of finished work on the part of the elbow seam and vent makers in Fac. A. The clause stating that the girls are to carry half the work and the examiner the other half is impossible of satisfactory execution. There is no responsible way of determining what constitutes half the work and any attempt to do this would engender countless difficulties which would be equally obnoxious to the company and the organization.

H. C. Foxton.

5/17/20.

In view of this condition, the Trade Board believes it will be advisable to make the practice during the sack coat season conform to that of the overcoat season, so that hereafter the examiner will carry the sleeves and not the girls. This, of course, applies only to Factory A.

James Mullenbach.

Discharge-



CASE #8. 5/17/30.

The company petitions the Trade Board for a reconsideration of Case #8, concerning the disposition of finished work on the part of the elbow seam and went makers in F. A. A. The clause stating that the girls are to carry half the work and the examiner the other half is impossible of satisfactory execution. There is no responsible way of determining what constitutes half the work and any attempt to do this would engender countless difficulties which would be equally objectionable to the company and the organization.

H. C. Foxton.

5/17/30.

In view of this condition, the Trade Board believes it will be advisable to make the practice during the peak coat season conform to that of the overcoat season, so that hereafter the examiner will carry the sleeves and not the girls. This, of course, applies only to Factory A.

James Muffenbach.

Discharge-



5/13/20.

The union in behalf of the top stitchers, Factory 5, asks that they be given compensation for time lost owing to reorganization of the factory.

The union contends that the top stitchers have been unable to get out their work with the usual speed because of the inefficiency of inexperienced workers who were brought into the shop. This inefficiency appeared in two ways. The work on trousers was incomplete and they were not made up right, so that the work of the top stitchers was interrupted.

The company claims that there was no serious loss of earnings and appealed to the pay roll. The pay roll records were challenged by the workers who claimed they had worked more hours than were recorded by the timekeeper. This contention was **upheld** by an investigation by the labor manager and representative of the union. It appeared that for the weeks ending April 20 and 27 some overtime was not accounted for by the management to the time keeping department. The items for each operative were for -

|       |   |          |
|-------|---|----------|
| #5213 | - | 7.5 hrs. |
| 5215  | - | 10.5 "   |
| 5216  | - | 13.5 "   |

The pay roll records, amended by adding this additional time then showed for the month of April as follows:

|       | Hrs.   | Earnings | Hr. rate |
|-------|--------|----------|----------|
| #5213 | 184.55 | 197.41   | 1.06     |
| 5215  | 216.50 | 256.31   | 1.14     |
| 5216  | 221.5  | 254.53   | 1.10     |

The regular rate for #5213 is \$1.42 per hour; for #5215 \$1.35 per hour, and for #5216, \$1.20 per hour.

The figures for April therefore show a considerable discrepancy from regular hour rates of these workers.

There appears to be no way to account for this discrepancy except by the difficulties occasioned by the reorganization of the shop as they affected the top stitching section.

The trade board, therefore, rules that the workers be paid at the regular hour rate for period of the week ending April 5th to week ending April 26th.

In the case of Michaleson who has recently come into the section from corner making, the trade board makes no allowance or award as his earning power as a top stitcher is still undetermined.

James Mullenbach.

Additional work-



into the section from corner making, the trade board makes no allowance or award as his earning power as a top stitcher is still undetermined.

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The figures for April therefore show a considerable discrepancy from regular hour rates of these workers.

#5215 \$1.35 per hour, and for #5216, \$1.20 per hour. The regular rate for #5213 is \$1.42 per hour; for

|       | Earnings | Hrs.   | Hr. rate |
|-------|----------|--------|----------|
| #5213 | 184.25   | 137.41 | 1.06     |
| 5215  | 216.50   | 226.31 | 1.14     |
| 5216  | 221.5    | 224.53 | 1.10     |

The pay roll records, amended by adding this additional time then showed for the month of April as follows:

|       |            |
|-------|------------|
| #5213 | - 7.5 hrs. |
| 5215  | - 10.5 "   |
| 5216  | - 13.5 "   |

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5/18/20.

The union asks for the reinstatement of B. Gersehm, A. Segretti and J. Zeri, discharged trimmers.

Saturday afternoon, May 8th, the superintendent of the trimming room went to his barber who had recently moved to a new location where he runs a pool room in connection with his barber shop. The superintendent counted 16 trimmers in the pool room who ought to have been working, as the trimming room was working overtime that Saturday. He took no action in the matter except to give the facts to the shop chairman and request his cooperation in preventing the irregularity at work.

On Thursday, some of the trimmers being absent, the superintendent went over to the pool room and found these three men there. Legretti denies that he was there later than 12/45. The next day the men were suspended and discharged.

The company gives as further reason for this action the records of the men. These records show in the case of Gersehm and Legretti great irregularity in attendance.

Gersehm has been absent since March 3rd - seven full days and fourteen half days. Legretti has been away since March 17th two full days and eight half days. He was out on account of sickness four and one half days besides. Zeri, since April 7th, has lost three half days, one each week. Gersehm explains his absence last Thursday afternoon on ground that he had an appointment with a friend at 2/30. He forgot to tell the foreman about this but told one of the boys to tell the foreman.

Legretti states that he left the pool room at 12/45 but admits that he did not return to work that afternoon nor did he inform the foreman of his intended absence.

Zeri claims he had an appointment to collect some money for his mother who receives help from the Juvenile Court. He told the foreman he was intending to be absent.

The union protested against the official of the company following up these men to find out what they were doing; and also protested against the action coming so soon after speaking to the shop chairman. He could not cooperate until the grievance committee could hold a session and it had been impossible to call a meeting before the suspension took place.

The company believes it was warranted in getting the evidence as to the indifference of the men to their jobs.



3/18/50.

410

The union asks for the reinstatement of B. Gersheim, A. Segretti and J. Zeri, discharged trimmers.

Saturday afternoon, May 8th, the superintendent of the trimming room went to his barber who had recently moved to a new location where he runs a pool room in connection with his barber shop. The superintendent counted 18 trimmers in the pool room who ought to have been working, as the trimming room was working overtime that Saturday. He took no action in the matter except to give the facts to the shop chairman and request his cooperation in preventing the irregularity at work.

On Thursday, some of the trimmers being absent, the superintendent went over to the pool room and found these three men there. Segretti denies that he was there later than 12/45. The next day the men were suspended and discharged.

The company gives as further reason for this action the records of the men. These records show in the case of Gersheim and Segretti great irregularity in attendance.

Gersheim has been absent since March 3rd - seven full days and fourteen half days. Segretti has been away since March 17th two full days and eight half days. He was out on account of sickness four and one half days besides. Zeri, since April 7th, has lost three half days, one each week. Gersheim explains his absence last Thursday afternoon on ground that he had an appointment with a friend at 2/30. He forgot to tell the foreman about this but told one of the boys to tell the foreman.

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The company believes it was warranted in getting evidence as to the indifference of the men to their jobs.



Case 10

Page 2

And regards the action of the superintendent in following up the boys to the pool room as quite proper. The company also contends that the shop chairman had ample time in which to get the matter before the men.

In view of the evidence of irregularity in the case of Gersehm and Segretti, the trade board finds that the discharges were warranted, and they are confirmed. The record of absences of these two men is such as to indicate that they cannot be considered as having a proper sense of responsibility toward their work. As for Zerl, his record of absences is not so serious and the Trade Board directs that he be reinstated without back pay for time lost.

In reaching this decision, the trade board recognizes the record of irregularity as decisive and not the fact that the boys were found in the pool room that afternoon. It is to be expected that men will attend to their work regularly and seek their recreation outside of working hours; that is one reason why the short work-day has been instituted in the trade -- to give the workers more leisure. At the same time, the determining factor is not an incidental absence at a pool room, or base ball game, for example, but the general record of attendance at work. This is a perfectly objective bit of evidence that speaks for itself without the necessity of any follow-up system.

James Mullenbach.

Absences from work.



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James Mulienbach.

Absences from work.



The union prefers charges against George Nicoli, assistant superintendent of the trimming room, and asks for discipline.

The specific charges are -

1. That he empties certain boxes in which the trimmers kept private belongings, such as papers magazines, pencils, etc.
2. That he undertook to censor their reading by appropriating reading matter found in the boxes or at the trimmers' place of work.
3. That he has not properly recognized the union officials.

It is admitted that Nicoli empties the boxes at order of the superintendent, but it is denied that he appropriated anything of value.

It is also admitted that he took up certain papers comprising among others, the I.W.W. song book, and certain other radical literature.

3. The charge of hostility toward officials or refusal to give them proper recognition rested upon incidents of that happened chiefly several months ago - None of the specific charges were supported by confirmatory evidence and the Trade Board is unable to find any grounds for discipline.

In regard to charge No. 1, the Trade Board is of the opinion that the matter of cleaning out the boxes could have been done without any friction if the cooperation of the men had been secured thru their shop chairman, but no blame can attach to Nicoli as he was only carrying out the order of the superintendent.

As to charge No. 2, the censoring of reading matter, the Trade Board believes that the attempt to prevent men from reading "radical" or "red" publications - is no part of the management's obligation - It's duty is to enforce discipline if men read during working hours, or sell or distribute reading matter during working time. But whether men read or sell "red" or "white" literature during working time has nothing to do with the matter. The only safe course in the opinion of the Trade Board in industry or politics is freedom of speech and reading - As one union official put it - "The foolisher the ideas are, the more you ought to let a fellow talk".

However in the impounding of the "literature" Nicoli was again carrying out the orders of the superintendent and is not personally responsible for the action. The Trade Board is informed that the last instance of this kind happened several months ago and the management agrees that there will be no renewal of the attempt.

In view of all the evidence the Trade Board is unable to find any ground for inflicting discipline in this case.

James Mullenbach.

Discipline - foreman - Nicoli.



In view of all the evidence the Trade Board is unable to find any ground for inflicting discipline in this case.

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6-2-20.

The union complains that there has been a change in system of examining coats from off pressers - Factory J, in that two or three men pass on each coat now rather than one examiner.

A visit to the factory disclosed the following facts:

1. That the space allotted examiners is very limited and results in crowding and inconvenience.
2. That coats have not been pressed as they should have been.
3. That the quality man had been coming to the section and conferring with the examiners about the pressing.
4. That as a consequence the impression was given that a more vigorous scrutiny was to be made of the coats than hitherto.

As a result of the investigation the Trade Board recommended.

1. The ample space be provided for the examiners.
2. That the coats be pressed up to standard.
3. That one examiner examine one coat.
4. That the quality man make his criticisms at his own examining table rather than at the tables of the regular examiners - This however, is not an order but only a suggestion by the Trade Board.

James Mullenbach.

System of examining.



The union complains that there has been a change in system of examining coats from off pressers - Factory 1, in that two or three men pass on each coat now rather than one examiner.

A visit to the factory disclosed the following facts:

1. That the space allotted examiners is very limited and results in crowding and inconvenience.

2. That coats have not been pressed as they should have been.

3. That the quality men had been coming to the section and conferring with the examiners about the pressing.

4. That as a consequence the impression was given that a more vigorous scrutiny was to be made of the coats than hitherto.

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James Mulienbach.

System of examining.



6-2-20.

Petition by union for reinstatement of Geo Seluitas, a bushelman, in Shop 5.

Seluitas was discharged for refusing to accept a place as a piece worker. The company claimed he loafed on the job and was not an efficient week worker. He has been in employ of the company nine months.

The evidence in support of company's contention rested on testimony of a foreman who stated that Seluitas was producing only about a third of the amount of work produced by other bushelman, but he had no regular or orderly way of determining what the bushelman produced except an estimate, neither did he know what wages Seluitas was receiving.

While the ruling of the Board of Arbitration gives the company authority to transfer from week work to piece work for disciplinary purposes, the merit of such a transfer is subject to review by the Trade Board.

In this case the Trade Board finds that there is no sufficient evidence to warrant the order to transfer.

The Trade Board directs, therefore, that Seluitas be reinstated with back pay for time lost.

The Trade Board also directs that the labor manager and deputy endeavor to agree upon some form of records so that definite information may be obtained as to the production of the bushelmen in this shop.

James Mullenbach.

Discharge - Seluitas

Transfer week work to piece work.



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The Trade Board directs, therefore, that Selutas be reinstated with back pay for time lost.

The Trade Board also directs that the labor manager and deputy endeavor to agree upon some form of records so that definite information may be obtained as to the production of the bushelman in this shop.

James Mulienbach.

Discharge - Selutas

Transfer week work to piece work.



6-2-20.

The union asks for reinstatement of Joseph Slangatis - #3412 Re, a discharged second baster.

Slangatis was discharged for alleged promotion of a stoppage, or walk out of the section.

The company presents evidence to show that Slangatis and a companion were leaders in a walk out of the second basters. It appears that the second basters had been losing time by waiting for work and wanted to go home. The foreman, however, claims that there was some work at their places and asked them to remain till four o'clock. It was then 3:30 or 3:40. He refused to give them a pass tho the clerk had given them passes as they went out. There was testimony by one of the second basters that Slangatis had advised him to go home. The foreman stated that he had seen the other man put out the lights over the work places. It was admitted by one of the workers that this had been done in one instance. The only extenuation the men offered for this action was the fact that they had gotten tired waiting in the shop without work.

After hearing the evidence the Trade Board finds that the discharge is warranted as Slangatis was shown to be active in promoting the walk out, and the discharge therefore is confirmed.

While thus confirming the discharge the Trade Board wishes to caution the management against the evil of waiting in the shop. The evil of waiting without work must not be minimized but the management must be alert to anticipate and prevent situations which give rise to much discontent.

James Mullenbach.

Discharge - Slangatis-  
Stoppage-



Stoppage - Slangatis - Discharge

James Mullendach.

While thus confirming the discharge the Trade Board wishes to caution the management against the evil of waiting in the shop. The evil of waiting without work must not be minimized but the management must be alert to anticipate and prevent situations which give rise to such discontent.

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The union asks for reinstatement of Harry Harrowitz a pocket maker, Factory G-3.

Harrowitz was suspended for not doing work according to specification.

The specification calls for turning back the silesia and stitching across the pocket. The stitching across the flap later would make two rows of stitching. Instead of making the pocket this way, Harrowitz omitted the first row of stitching.

The manager claims that he had a suspension made out for Harrowitz for this cause some three months ago but withdrew it, believing that he would do work on pockets properly. The manager claims that he spoke to Harrowitz at the time and also to the shop chairman. Both Harrowitz and the shop chairman deny that they were spoken to about this matter three months ago.

Yesterday, finding some coats with the single stitch the manager suspended Harrowitz without speaking to him about the work, nor did he take it up with the shop chairman. The manager thought it had been sufficient to speak to Harrowitz and the chairman three months ago, tho both deny the manager spoke to them.

Some days ago, the examiner was discharged and after the discharge he told the shop chairman that he had been discharged because he passed pockets with single stitch; that he had known that coats were coming thru that way but accepted them because he thought the pockets were all right.

In view of the fact that the examiner had been knowingly accepting these pockets, the Trade Board believes that the summary suspension and discharge of Harrowitz without any discussion with him or the shop chairman was a use of right of discharge without that "reasonable" consideration of the interests of the employe, which the provision on discipline in the agreement contemplates (Page 26-27)

The Trade Board directs that Harrowitz be reinstated with back pay for period of suspension.

Hereafter he is to make his pockets according to the specification. Other pocket makers are making pockets too with the single stitch and they, too, are to conform to the specification hereafter in their work.

JAMES MULLENBACH.

Discharge- Harrowitz  
Lapse of spec.-



specification hereafter in their work.  
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Harrowitz was suspended for not doing work according

a pocket maker, Factory G-3.  
The union asks for reinstatement of Harry Harrowitz



6-3-20.

The union asks for the reinstatement of L. Patli, an off-presser in Factory X.

Patli was discharged for incompetence.--

It appears that Patli was transferred from under-pressing to off pressing about three or four weeks ago. Altho anxious to become an off presser, his work has been open to much criticism. At the same time he has not had the advantage of intelligent direction and instruction, either by the examiners or by such usual pointers as the off-pressers might give if they wished to do so.

Under the circumstances the Trade Board finds that Patli has not had adequate opportunity to make good; and the Trade Board directs that he be reinstated as an off-presser but transferred to Factory R where he can be assured of receiving good instructions and oversight. He is to begin work in R, Friday morning.

James Mullenbach.

Discharge- Patli.  
Poor work-



The union asks for the reinstatement of L. Patil, an off-presser in Factory X.

Patil was discharged for incompetence.

It appears that Patil was transferred from under-pressing to off-pressing about three or four weeks ago. Altho anxious to become an off-presser, his work has been open to much criticism. At the same time he has not had the advantage of intelligent direction and instruction, either by the examiners or by such usual pointers as the off-pressers might give if they wished to do so.

Under the circumstances the Trade Board finds that Patil has not had adequate opportunity to make good; and the Trade Board directs that he be reinstated as an off-presser but transferred to Factory R where he can be assured of receiving good instruction and oversight. He is to begin work in R, Friday morning.

James Mullerbach.

Discharge - Patil.  
Poor work -



Case 19.

6-5-20.

The union asks for reinstatement of Mameth, a discharged trimmer.

Mameth was discharged for low production, averaging about six bundles an hour.

The Trade Board finds that this production is very low. No standards, however, have yet been set for the trimming room, and the Trade Board, as a tentative arrangement directs that Mameth be reinstated without back pay, but is to handle not less than ten bundles per hour.

Reinstatement is to take place Monday June 7th.

James Mullenbach.

Discharge- Mameth,  
Low production.



6-5-20.

Case 19.

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James Mulenbach.

Discharge- Mameth,  
Low production.



Typed June 8th.

Case #20.

6-8-20.

Case filed June 2nd. Mr. Foxton for the Company,  
Mr. Geier for the union.

The company petitions the Trade Board for discipline  
of Sol Greenberg, an official of the union in the trimming room.  
The specific charges against Greenberg are -

1. Ignores the instructions of the foreman and talks  
back.

2. Fools around the shop and wastes time.

In support of the first charge, the company presents  
evidence to show that Greenberg interfered with or interrupted  
the foreman while he was giving certain instructions to a  
trimmer, to which Greenberg objected.

Beyond some disagreement as to the conversation accompany-  
ing this incident, the facts are not in dispute. They indi-  
cate that Greenberg did approach the foreman at a time when  
he was speaking with and giving instruction to a trimmer how  
to work on a lay while his partner was away from the board  
temporarily. Greenberg objected to the trimmer working  
on two man lay when his partner was absent. The trimmer had  
not explained to him.

In respect to this charge, the Trade Board finds that  
Greenberg's interference on this occasion was unwarranted  
and not sanctioned by the provision of the agreement defining  
and regulating the actions of the shop chairman. In the  
opinion of the Trade Board a shop chairman has no right break-  
ing into and interfering with a foreman while in conversation  
with or while giving instructions to a worker. That is a private  
and privileged conversation just as a similar conversation  
between a shop chairman and a worker about a complaint is private  
and privileged. The foreman would have no right breaking into  
and interfering with such an interview. After the foreman had  
given the instruction or issued the order and the shop chairman  
wishes to object, he can take it up with the foreman. "Listen  
ing in" on conversations by either shop chairman or foreman must  
be avoided.

2. The evidence in support of the second charge was  
contradictory and the Trade Board does not take it into account.

The Trade Board rules that Greenberg appear before  
it and be admonished in regard to his duties as shop chairman.

James Mullenbach.

Discipline- Shop chairman-  
Greenberg-



Discipline-Shop chairman-  
Greenberg-

James Mullerbach.  
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The specific charges against Greenberg are -  
of Sol Greenberg, an official of the union in the trimming room.  
The company petitions the Trade Board for discipline

Mr. Geter for the union.

Case filed June 2nd. Mr. Foxton for the Company.

Case #20.

8-8-30.

Typed June 8th.