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National Labor Relations Board v. Weirton Steel Company

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• CIVIL LAW •

LABOR

National Labor Relations Board v. Weirton Steel Company

U.S. Court of Appeals for the Third Circuit, Case No. 8041, 135 F.2d 494 (3d Cir. 1943)
1943

"cease and desist from the unfair labor practices found"

Opinion, May 4, 1943

Petitioner's Exhibit 35

MASS MEETINGS!

Weirton Independent Union

Tuesday Night, July 1, 1941

Mass meetings of employees of each of the following 2 divisions of the Weirton Steel Company will be held at the times and places listed below.

Last night successful meetings were held by the Strip Steel, Tin Mill and Steubenville Divisions.

The purpose of these meetings will be to consider the Constitution and By-Laws and to transact other business of the W. I. U.

The W. I. U. now represents a majority of all Weirton Company employees. The intention of the W. I. U. is to protect all the advantages and privileges which the Weirton Steel worker now enjoys, among which are:

- The Best Wages
- Steadiest Employment
- The Most Liberal Vacation Plan in the Entire Steel Industry.

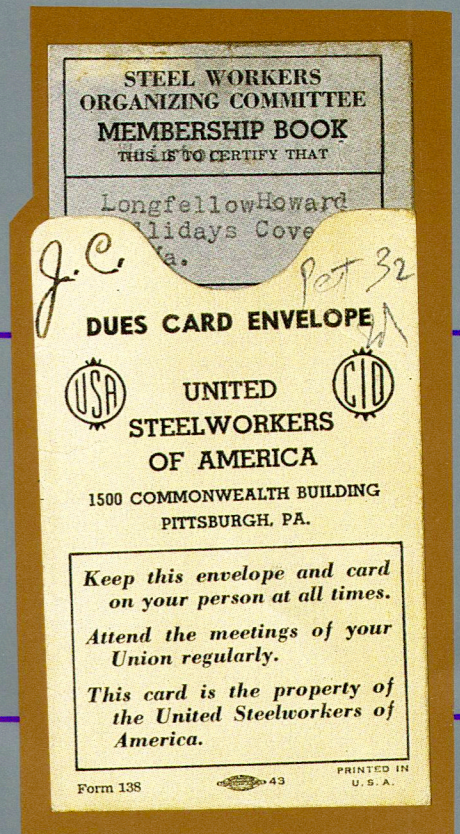
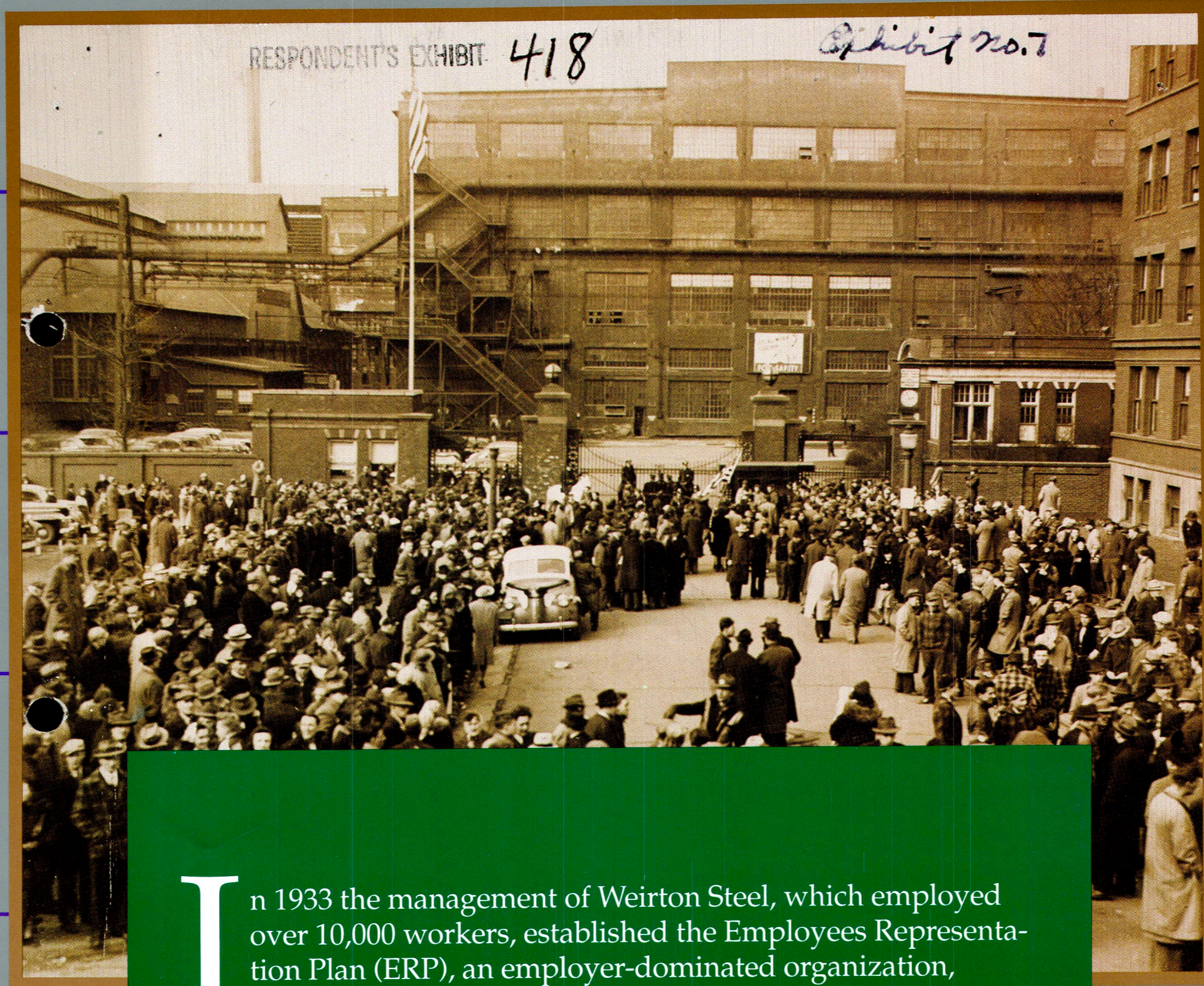
Cooperate with the National Defense Program by joining the W. I. U. The W. I. U. is a democratic organization. It has been founded by Weirton Workers. Its members are Weirton Workers, and its leaders will be Weirton Workers, all local Ohio Valley men, democratically chosen by their fellow employees in free and open election. If you are now a member, attend your division meeting. If you have not yet signed up, join before or at the meeting for your division. The W. I. U. is important to YOU, to YOUR present, to YOUR future.

DIVISION	PLACE	TIME
Steel Works	Colonial Hall, Weirton, W. Va.	8:00 P. M.
Sheet Mill	Colonial Hall, Weirton, W. Va.	9:15 P. M.

At these meetings, the entire plan will be thoroughly discussed. Remember this is your big opportunity to protect what you have as a Weirton Worker.

W. I. U. COMMITTEE

Michael C. Bobly (Sheet Mill)	Robert Buchanan (Old Strip Steel)
Walter Bedortha (Strip Steel)	Edward Ross (49' Old Mill)
Robert Foster (Steel Works)	Alva Carr (Steubenville)
William C. Beardon (Tin Mill)	



WEIRTON INDEPENDENT UNION APPLICATION CARD

DIVISION _____ DEPARTMENT _____ DATE _____

I hereby request and accept membership in the WEIRTON INDEPENDENT UNION and agree to be bound by its Constitution and By-Laws, and I hereby designate and authorize the Weirton Independent Union to be my sole and exclusive representative for the purposes of collective bargaining in all matters in respect to rates of pay, wages, hours of employment, and other conditions of employment, and I hereby expressly revoke any previous authorization to represent me in any of the above matters by any other organization.

NAME _____

STREET _____

TOWN or CITY _____

1941

1st QUARTER DUES _____

2nd QUARTER DUES _____

3rd QUARTER DUES _____

4th QUARTER DUES _____

SECRETARY TREASURER _____

In 1933 the management of Weirton Steel, which employed over 10,000 workers, established the Employees Representation Plan (ERP), an employer-dominated organization, replaced in 1941 by the Weirton Independent Union. The ERP and the Weirton Steel Employees Security League of "so-called 'special watchmen'" steadfastly opposed the introduction of "outside" unions, like those affiliated with the Congress of Industrial Organizations (CIO).

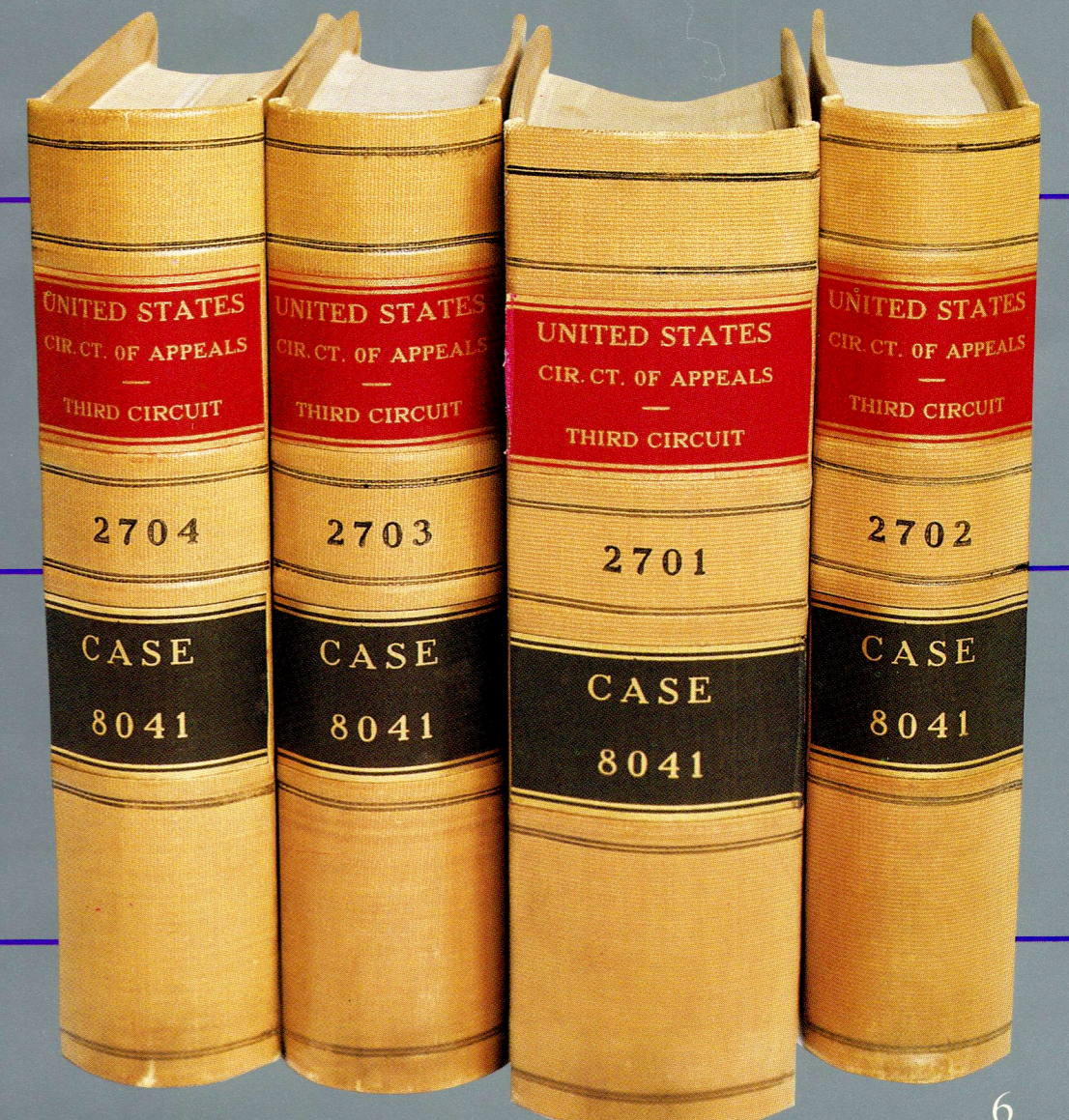
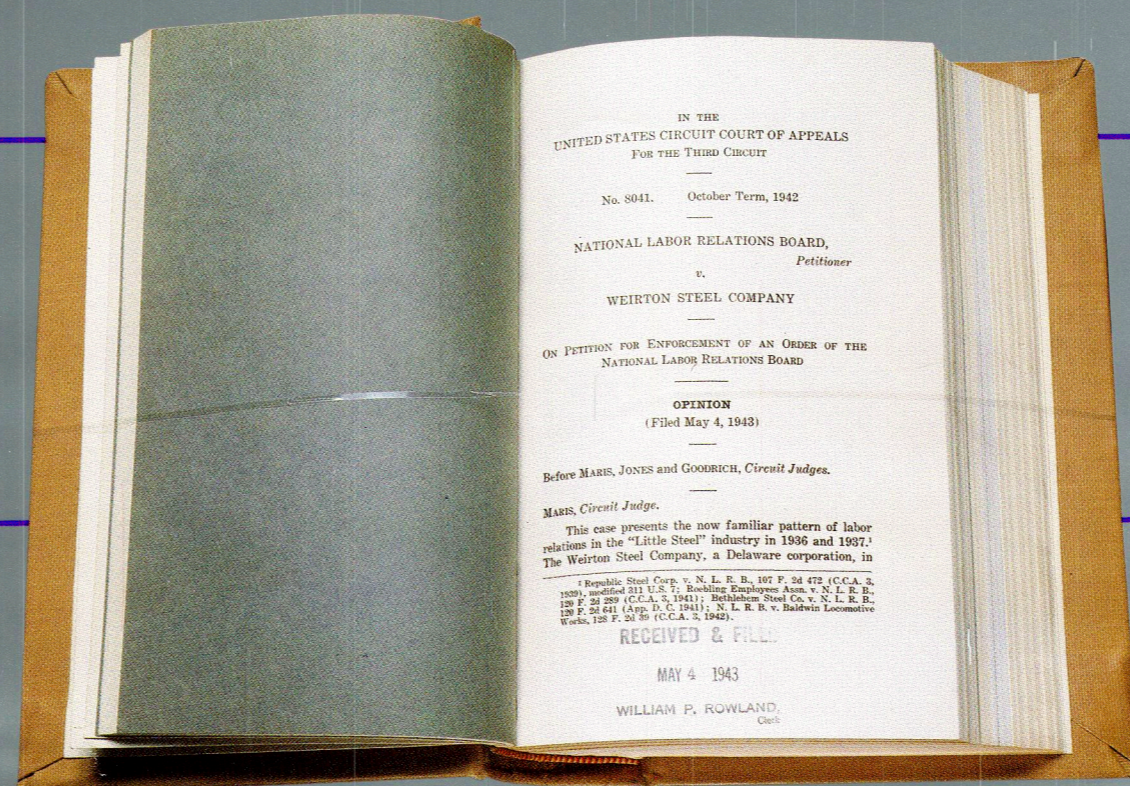
After the Supreme Court upheld the constitutionality of the National Labor Relations Act in 1937, the CIO increased its efforts to organize Weirton's workers. It believed Weirton's employees would never enjoy the basic benefits which organized labor had gained for other American workers until they could join a union of their choice, rather than one imposed by Weirton's management.

Tension escalated quickly. Weirton Security League men harassed and beat a number of CIO supporters and the company dismissed and evicted seventeen others from the workplace. As the two sides squared off, authorities feared that the situation would get out of control. The National Labor Relations Board held extensive hearings and ultimately ordered Weirton Steel to cease and desist from its unfair labor practices and to reinstate the seventeen employees. The Board sought enforcement from the federal Court of Appeals. In 1943 that court found in favor of the Board and organized labor, and ordered Weirton Steel to allow its employees to be represented by any labor organization of their choice. It also ordered the reinstatement of the fired workers.

The controversy persisted, however. In 1950 the U.S. Circuit Court of Appeals for the Third Circuit found Weirton Steel in contempt of court for refusing to comply with its 1943 order.

- All documents are from the National Archives, Records of the U.S. Courts of Appeals.
1. "Petitioner's Exhibit 35," July 1, 1941.
 2. "Respondent's Exhibit 418, Exhibit No. 7." Crowd gathered outside Weirton Steel plant, ca. 1941.
 3. Lapel button, ca. 1940.
 4. "United Steelworkers of America Dues Card Envelope and Membership Book," 1943.
 5. "Petitioner's Exhibit #1871," 1944; "Exhibit No. 9, RX 416," ca. 1941; and "United Steelworkers of America Membership Book," 1943.
 6. Transcript of proceedings, 1942-1947.
 7. "Opinion, (Filed May 4, 1943)"
 8. "Petitioner's Exhibit No. 148," ca. 1944.
 9. "Petitioner's exhibit no. 41," n.d.; "Petitioner's exhibit no. 68," 1941.

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