

March 15, 1966

Mr. Peter C. Robertson
Executive Director
Missouri Commission on Human Rights
State Capitol Building, P.O. Box 1129
Jefferson City, Missouri 65102

Dear Mr. Robertson:

This is in response to your discussion today with our representative, William E. Pollard, relative to entering into an agreement with the Department of Civil Rights, AFL-CIO.

We are desirous of your Commission favorably considering and adopting the following procedure:

1. At the time that a respondent is notified of the charges made by a claimant, you will also furnish the AFL-CIO Department of Civil Rights with a brief description of the charges affecting AFL-CIO affiliates.
2. In cases where the facts warrant the issuance of a complaint by your Commission, where your Commission has been able to resolve the issue through the conciliation and persuasion process, you shall notify us of the agreement effected with the AFL-CIO affiliate.
3. In the event that the Commission is unable to reach an equitable solution in cases where it has determined there are sufficient grounds to base a complaint, upon the issuance of a complaint by your Commission you will furnish us with a copy of said complaint and given notice of public hearing of the matter.
4. In those cases where an application for the issuance of a complaint is denied because of lack of probable cause, your Commission will notify us of the disposition.

Mr. Robertson

-2-

3/15/66

This communication is to be considered as a formal agreement entered into by us with your Commission as of this date under the procedures set forth in Chairman Roosevelt's communication dated September 30, 1965. A confirmation communication is respectfully requested.

It is our hope that this agreement will jointly assist us in finding mutually satisfactory resolutions of complaints referred to us for the affirmative implementation of Title 7 of the Civil Rights Act of 1964.

With best wishes for a healthy relationship, we are

Sincerely yours,

Don Slaiman
Director
Department of Civil Rights

DS:ja
opeiu #2 afl-cio

AFL-CIO

Transmittal Slip

DATE:

4/18/66

TO:

FROM:

- Note and File
- Note and Return To Me
- Return With More Details
- Note and See Me About This
- Please Answer
- For Your Approval

- Prepare Reply For My Signature
- Take Appropriate Action
- Per Your Request
- Signature
- Advice Please
- Attach Complete File and Return

COMMENTS:



This letter must be
answered by
4/18/66 talked to Peter Robertson
& send him a c.c. of the mediation
agreement.

MISSOURI

Commission on
HUMAN RIGHTS

312 E. Capitol Ave.

P.O. Box 1129

Jefferson City, Mo. 65102

635-7223 AC 314

WARREN E. HEARNES, Governor
FORREST P. CARSON, Chairman
PETER C. ROBERTSON, Executive Director

March 30, 1966

APR 4 1966

Mr. Don Slaiman, Director
Department of Civil Rights
AFL-CIO
815 Sixteenth Street, N. W.
Washington, D. C. 20006

Dear Don:

Thank you for your letter of March 15, 1966 by way of follow up to the earlier telephone conversation from William E. Pollard concerning a possible agreement with your department. Last fall we received a communication from Franklin D. Roosevelt, Jr., Chairman, Equal Employment Opportunity Commission, urging us to enter into agreements similar to that which the federal agency had signed with the Construction Industry Joint Council. Because of a number of aspects of that particular agreement our commission voted at its November 9, 1965 meeting not to comply with Chairman Roosevelt's request and not to sign an agreement such as the one in question. For that reason I would be unable to sign a formal agreement with your department until our commission at a regular meeting of the entire policy making group had a chance to consider the specific agreement in detail. However, we should like very much to cooperate with you and I am proposing below some interim actions which we will be able to take which should meet our immediate needs and, then, I am proposing some of the modifications that should be made in your suggested outline before we would be approaching a meeting of the minds on a possible formal agreement. If you would like to draft up something in light of them and submit it for consideration I should be more than pleased to pass it on to the full commission.

A. First let me explain that our operation does not involve the issuance of a complaint by the commission but rather the filing of a complaint by an individual, investigation by staff with a report to a member of the commission, a finding of probable cause (if justified) by the assigned commissioner,

The Commission



JOSEPH L. AMES
St. Louis
CLARENCE M. BARKSDALE
St. Louis County
MISS LUCILE BLUFORD
Kansas City

FORREST P. CARSON
Jefferson City
ARTHUR C. FULBRIGHT
Dexter
MILTON LITVAK
St. Joseph

PETER V. MCCOY
Nevada
MRS. REBA S. MOSBY
St. Louis
WILLIAM P. MURPHY
Columbia

LEO W. RINEY
Hannibal
MRS. ROBERT SEILER
Joplin

Mr. Don Slaiman
March 30, 1966

an attempt at conciliation, and finally the issuance of a "notice of hearing" by the chairman, and then the public hearing itself. Thus any draft agreement should refer to the finding of probable cause rather than to the issuance of a complaint.

B. As an interim measure we should be delighted to agree informally, and I have just instructed our Director of Investigation, Mr. Jerry Belenker, to this effect, that whenever a complaint is filed against an AFL-CIO affiliate and the initial investigation leads to a finding of probable cause on the part of the assigned commissioner we will suggest to the assigned commissioner that the Department of Civil Rights of the national office be notified of said finding prior to the time that conciliation is actually commenced in order that your department may have an opportunity to participate in said conciliation.

C. I think it would be appropriate to comment in detail on each of your numbered paragraphs in your letter of March 15, 1966, and in the subparagraphs which follow -- appropriately numbered -- I will do so.

1. Under our statute we have viewed all complaints as confidential. We clearly would not be able to notify you prior to the time the respondent is notified -- but you have not requested that. We may have some legal disability on notifying you after the respondent is notified and seek some help from you on the legal relationship between the AFL-CIO nationally and its local affiliates. Are we on sound legal ground in viewing you and the local affiliate as being basically the same agency so that it is no different to inform you of a complaint against a local union in Missouri than it would be to inform, for example, General Motors headquarters in Detroit of a complaint against General Motors in Missouri. yes
2. Under our procedure a finding of probable cause is made before we attempt to resolve the issue through the conciliation and persuasion process. Whatever

Page -3-
Mr. Don Slaiman
March 30, 1966

we do in response to your request as outlined in your paragraph Number 1, I am sure that it will be possible to work out a procedure whereby we notify you at some appropriate stage in the conciliation procedure so that you may communicate with your affiliate if you deem it appropriate and bring your influence to bear upon the conciliation process.

not earlier enough

3. Again, I see no objection to sending you a copy of the notice of public hearing as these are matters traditionally made public to the press and anybody desiring one should certainly be able to get one. I have instructed our Director of Investigation to this effect as of now.
4. Although your Number 4 again uses language that is not in keeping with our procedure, it would certainly be appropriate if we had made an arrangement under Paragraph 1 to send you information on the complaints to also send you information when they were disposed of because of a finding of no probable cause.
- D. You say on Page 2 of your letter that this communication by you is to be considered "as a formal agreement" and you seek a confirming communication. As the above makes clear we are of course unable to confirm such an agreement at this time but look forward as you do to mutually satisfactory arrangements for dealing with these problems.

Peter C. Robertson
Sincerely,

Peter C. Robertson
Executive Director

PCR:m