



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

WASHINGTON, D.C. 20506

REC'D FEB 29 1968

FEB 28 1968

CR 2-1

Honorable Walter F. Mondale
United States Senate
Washington, D.C.

Dear Senator Mondale:

This is to inform you that the Commission has reached a decision on the charges brought by Mrs. Rosemary Sokolowski and her co-workers against Swift and Company and the United Packinghouse Workers of America.

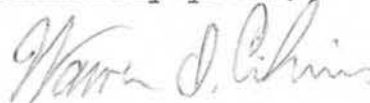
The Commission has completed its reconsideration of this case and has reaffirmed its previous decision.

You should be aware, however, that Mrs. Sokolowski and her co-workers have requested that they be formally notified of their right to file suit in Federal District Court and that notification of right to sue issued for all parties but Mrs. Sokolowski on February 1, 1968, and for Mrs. Sokolowski on February 8, 1968. Under Title VII of the Civil Rights Act of 1964, the charging parties have 30 days from receipt of the notification to file suit.

Conciliation efforts will proceed, however, despite the fact that the matter might be pending before the Court.

Thank you for this opportunity to have been of service. Please contact us if we may be of further assistance.

Sincerely yours,



Warren I. Cikins
Director of Legislative Affairs

CR2-1

COPY

January 31, 1968

Mr. William Waters
Attorney at Law
Duluth
Minnesota

Dear Bill:

I know you are well aware of ~~all~~ of the information in the Darlene Johnson case, but I thought you might be interested in seeing a copy of the letter which I received from the Equal Employment Opportunity Commission in that matter.

I look forward to seeing you.

With warmest personal regards.

Sincerely,

Walter F. Mondale

CR 2-1



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

January 24, 1968

Honorable Walter F. Mondale
United States Senate
Washington, D. C.

Re: Case No. 6-10-8626
Darlene Johnson vs. Elliott
Packing Company

Dear Senator Mondale:


This is in reference to Miss Darlene Johnson's charge of employment discrimination against Elliott Packing Company of Duluth, Minnesota.

In its decision of October 11, 1967, this Commission found reasonable cause to believe the Elliott Packing Company was in violation of Title VII of the Civil Rights Act of 1964, as charged by Miss Johnson. Conciliation efforts to achieve voluntary compliance with the Act, however, were unsuccessful.

On January 15, 1968, Miss Johnson and the respondent company were informed that conciliation efforts had failed, and pursuant to Section 706(e) of the Act, Miss Johnson was apprised of her right to bring suit in the appropriate Federal District Court. The respondent company was advised that the case is now under consideration by this Commission for possible referral to the Attorney General of the United States, for further action under Section 707 of the Act.

Please let me know if I can be of further assistance to you.

Sincerely,


Robert L. Randolph (Acting)
Director of Compliance

CK 2-1

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MEMORANDUM

December 28, 1967

TO: Senator
FM: Mike *W*
RE: 3M and the EEOC

The complaint against 3M in Chicago is going to be reconsidered by the Commission, probably at its January meeting. Additional information has been added to the materials which will be presented to the Commission. Essentially, this means that the staff is saying to the Commission "is this really the decision you want to make in this matter."

This information has been passed on to Opstad.

COPY

May 10, 1968

Mr. Charles E. Brown
5029 Bruce Place
Edina
Minnesota 55424

Dear Mr. Brown:

Thank you so much for your recent letter regarding S. 1308, dealing with the Equal Employment Opportunity Commission.

You may be sure that I will keep your views in mind, and consider this matter very carefully. However, I do think the EEOC does need adequate authority to discharge its responsibilities under the law, and many cases prove to be ineffective not only in ultimate enforcement but in preliminary stages of conciliation and persuasion because it lacks any meaningful enforcement powers. On the other hand, bureaucracies are not endowed with wisdom and efficiency merely by having cease and desist power so that I do intend to look at this matter carefully.

With best regards.

Sincerely,

Walter F. Mondale

CHARLES E. BROWN
5029 BRUCE PLACE
EDINA, MINNESOTA 55424

April 25, 1968

REC'D APR 26 1968

The Honorable Walter F. Mondale
The United States Senate
Washington, D.C.

Re: Senate Bill 1308 & H.R. Bill 680
Cease and Desist Authority -
Equal Employment Opportunity Comm.

Dear Senator Mondale:

I should like to register my opposition to these two bills.

It is my belief that the placing of cease and desist authority in the Commission would, in fact, deny "due process" to many corporate citizens. I feel also that there are adequate remedies available for correction of inequities in this area without arming the Commission with cease and desist authority.

Sincerely,



CEBrown:bj

COPY

May 13, 1968

Mr. E. H. Standal
Caterpillar Tractor Co.
P.O. Box 5108, Industrial Station
St. Paul, Minnesota 55104

Dear Mr. Standal:

Thank you so much for your recent letter regarding S. 1308, dealing with the Equal Employment Opportunity Commission.

You may be sure that I will keep your views in mind, and consider this matter very carefully. However, I do think the EEOC does need adequate authority to discharge its responsibilities under the law, and many cases prove to be ineffective not only in ultimate enforcement but in preliminary stages of conciliation and persuasion because it lacks any meaningful enforcement powers. On the other hand, bureaucracies are not endowed with wisdom and efficiency merely by having cease and desist power so that I do intend to look at this matter carefully.

With best regards.

Sincerely,

Walter F. Mondale



CATERPILLAR TRACTOR CO.

St. Paul, Minnesota 55104
Area Code 612
Telephone 646-8696

P. O. Box 5108
Industrial Station

April 23, 1968

RECD APR 26 1968

Honorable Walter F. Mondale
Senate Office Building
Washington, D. C. 20510

Dear Senator Mondale:

Caterpillar Tractor Co. is in complete agreement with the goal of preventing discrimination in employment practices ... but not through the methods proposed in S. 1308.

We are of the opinion that the bill would grant the Equal Employment Opportunity Commission NLRB-type powers in enforcing Title VII of the Civil Rights Act of 1964. If S. 1308 would become law, the Equal Employment Opportunity Commission would receive quasi-judicial authority ... and its mission would change from conciliation to regulation.

Caterpillar, as an example, employs approximately 45,000 people in the United States. Despite this sizable figure, we have had only four cases of alleged discrimination in which the EEOC has become involved. In two cases, the EEOC investigated and found no reasonable cause for supporting the complainant; it then dismissed the complaint. In a third case, the EEOC utilized the conciliation process and a settlement was achieved. In the other case, the Company's position was sustained in a federal circuit court; but that decision was appealed and is now pending.

Our experience with the EEOC during these investigations leads us to the conclusion that the lack of efficiency in applying present enforcement investigative procedures leaves much to be desired. However, the present procedures are sufficient to achieve desired results. We suggest that improvement in using the powers now available should be the immediate goal of the Commission. To grant stronger regulatory powers to this agency actually could be detrimental, in our view, to the objective of equal employment opportunity.

We strongly oppose the idea of giving the EEOC enforcement powers similar to those of the NLRB. Therefore, we feel that interests of employers, employees, and the public would be better served if S. 1308 is defeated.

Sincerely,

Manager, St. Paul Parts Depot

EHStandal
lgb

COPY A

April 4, 1968

Mr. Donald Bjorlin, Administrator
District One Hospital
Fazibault
Minnesota 55021

Dear Mr. Bjorlin:

I want to thank you for your recent letter concerning S. 1308, the proposed Equal Employment Opportunity Enforcement Act. Your courtesy in writing is much appreciated.

This proposal is presently pending for consideration in the Senate Labor and Public Welfare Committee. Although I am not a member of that Committee, I do appreciate having the benefit of your thinking on the proposal. I will certainly bear in mind your belief that the existing mechanism should be given adequate time to prove its effectiveness before additional legislation is enacted.

With warmest regards.

Sincerely,

Walter F. Mondale



Rice County
DISTRICT ONE HOSPITAL

Telephone 334-6451 Area Code 507

Faribault, Minnesota 55021

DONALD BJORLIN,
Administrator

ga
March 8, 1968

REC'D MAR 11 1968

Senator Walter F. Mondale
Senate Office Building
Office 443
Washington, D.C. 20510

Re: S. 1308

Dear Senator Mondale:

Although we have never had any problem in our area regarding equal employment opportunity situations, I am concerned over S. 1308, Equal Employment Act Revisions. Since this bill concerns only the means of enforcing the existing civil rights law, I do not believe there are any anti-civil right connotations in opposing it.

In reviewing the activities of the Equal Employment Opportunity Commission, it appears that this commission used judicious restraint by taking the time to investigate before acting on the complaints filed. A majority of the commission's action on complaints filed has taken place since September of 1967.

I believe that the existing mechanism should be given adequate time to prove its effectiveness before giving the commission what I consider to be unwarranted additional powers.

Thank you for your consideration.

Sincerely yours,

Donald Bjorlin

Donald Bjorlin
Administrator

DLB:de

COPY

May 22, 1968

Mr. Jerry A. Fix, Secretary
St. Charles Chamber of Commerce
St. Charles
Minnesota

Dear Mr. Fix:

Thank you for your recent letter expressing concern about S. 1308, a bill amending the Equal Employment Opportunity Act.

This legislation has now been reported from the Senate Labor and Public Welfare Committee. I am enclosing a copy of the bill for your consideration along with a copy of the Committee's report.

I have not yet had time to examine the bill as finally reported from Committee, but I do intend to study it carefully remaining mindful of your reservations.

With warmest regards.

Sincerely,

Walter F. Mondale

Enclosures

ST. CHARLES

Chamber of Commerce

ST. CHARLES, MINNESOTA

May 11, 1968

REC'D MAY 14 1968

Walter F. Mondale
Washington, D.C.

Dear Senator,

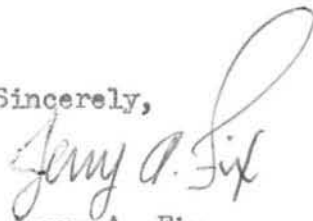
I would like to hear Your feelings on the Bill (S 1308) which has been approved by the Labor and Public Welfare Committee.

We feel that this bill is another step toward a socialized society which everyone knows infringes on persons free rights. The bill would give the EEOC power to tell a employer or union who they can hire without a judicial trial, which is as unfair as some of the things the NLRB does. EEOC members are getting carried away with their "civil rights" goals and with this new power they will be more zealous than ever.

The government cannot run everyones business and we urge you to vote against this bill and ask Your feeling in this matter.

Thank you for your time.

Sincerely,



Jerry A. Fix
Sec'y

June 8, 1968

COPY

Mr. J. W. O'Hara, V. P.
Operations
1101 Third Street, South
Minneapolis, Minnesota 55415

Congressional Liaison
Equal Employment Opportunity
Commission
Washington, D. C.

x

Miss Foshay

COPY

June 8, 1968

Mr. J. W. O'Hara, Vice President, Operations
Minnesota Paints, Inc.
1101 Third Street, South
Minneapolis, Minnesota 55415

Dear Mr. O'Hara:

Thank you for your letter of June 6, 1968 questioning an interpretation of the Equal Employment Opportunity Commission.

I am sending this letter to the Commission for their comment, and will be back in touch with you as soon as they have responded.

With best wishes.

Sincerely,

Walter F. Mondale

MINNESOTA

Minnesota Paints, Inc.

CHEMICAL COATINGS DIVISION

1101 Third Street S., Minneapolis, Minn. 55415 • Phone: 612-332-7371

GENERAL OFFICES: MINNEAPOLIS

manufacturers of quality paint products since 1870

June 6, 1968

REC'D JUN 7 1968

Senator Walter Mondale
United States Senate
Washington, D.C. 20506

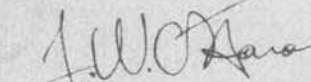
Dear Senator Mondale;

The Equal Employment Opportunity Commission recently sent out a guideline number 1604.31. Paragraph "A" states that "difference in optional or compulsory retirement ages based on sex violates Item "T" of the Civil Rights Act."

My personal belief is that the Congress had no intention of having the Civil Rights Act interpreted in this manner regarding retirement. At the present time women are given special provisions in retirement plans in most industries. This would cause quite a difficult re-evaluation if this interpretation were correct.

Would you please look into this matter and re-evaluate the interpretation.

Respectfully,



J. W. O'Hara
Vice President, Operations

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COPY

June 20, 1968

Mr. J. W. O'Hara
Vice President, Operations
Minnesota Paints, Inc.
1101 Third Street South
Minneapolis, Minnesota 55415

Dear Mr. O'Hara:

This is in further reply to your letter of June 6, 1968 in which you stated questions about the Equal Employment Opportunity Commission rulings with respect to retirement.

I have recently received a letter from Mr. Warren I. Cikins of the Commission concerning their rational for the regulations to which you refer.

I am enclosing a copy of Mr. Cikins' letter along with the attachments he sent along.

If you have further questions, please let me know.

With warmest regards,

Sincerely,

Walter F. Mondale



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

JUN 18 1968

GC 360-68

Honorable Walter F. Mondale
United States Senate
Washington, D. C.

Dear Senator Mondale:

This will acknowledge receipt of the letter dated June 6, 1968 addressed to you by Mr. J. W. O'Hara, regarding the new regulation, §1604.31(a), Pension and Retirement Plans.

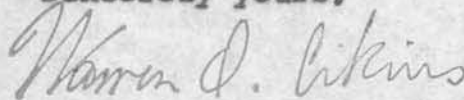
The enclosed two documents are helpful in understanding the regulation discussed by Mr. O'Hara: (1) the new regulation which forms part of this Commission's Guidelines on Discrimination Because of Sex is found in the enclosed copy of the Federal Register, page 3344, dated February 24, 1968; (2) the legal rationale for the ruling has been summarized in the attached three page memorandum entitled "Equal Employment Opportunity Commission - Ruling on Differences in Retirement Ages under Pension and Retirement Plans."

The effect of the new regulation has been considered carefully by the Commission. The only requirement is that males and females be treated equally - the retirement age can be 60, 62, or 65. Of course, early optional retirement can be provided for those employees, men or women, who would like to retire earlier, presumably enjoying lesser benefits. Thus, women who want to obtain Social Security benefits at age 62 could do so. However, complaints have been filed with this Commission by women who were retired at an early age and were forced to obtain Social Security at age 62 at a lesser rate than they could have enjoyed at age 65.

While there is a legitimate concern respecting the possible cost and/or saving when changes are made in Pension Plans, our research indicates that approximately 95% of the plans covering 85% of the employees contain no difference whatsoever on the basis of sex. The trend shows that the number of plans with such differentials is diminishing. Thus, plans which do not discriminate would appear to be on a sound practical and fiscal basis.

Please advise if we can be of further assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "Warren I. Cikins".

Warren I. Cikins
Director
Legislative Affairs

Enclosures



MINNESOTA HISTORICAL SOCIETY

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