

DJ 170-57-5
#34-035-18

April 4, 1968

OMF:daw

Thurlow Smoot, Esquire
58 Public Square
Cleveland, Ohio 44113

Re: United States v. International Brotherhood
of Electrical Workers, Local No. 38;
Electrical Joint Apprenticeship and Train-
ing Committee (C.A. No. C67-575)

Dear Mr. Smoot:

This will acknowledge your letter of March 26, 1968, confirming our agreement to meet in Cleveland on April 9, 1968, to discuss settlement, and enclosing a copy of the proposed conciliation agreement that the Equal Employment Opportunity Commission declined to accept.

With regard to the terms of settlement, we discussed the minimum corrective program the Department of Justice believes the law requires during the negotiations last summer, in our letter to you of October 13, 1967, and at the pre-trial conferences. As you can see by comparison, the proposal which you included in your letter does not meet those standards.

We, of course, are prepared to engage in meaningful negotiations with you at any time and I look forward to seeing you again on April 9, 1968, at 1:00PM in your office, for that purpose. If,

cc: Records	Pollak
Chrono	Owen
	Turner
	Fliss
	Wolf
	Invest. File (Central Sec.)

however, your position has remained unchanged, and you do not think there is any basis for you to agree to take any of the corrective steps described in our letter of October 13, 1967, I would appreciate being so advised so that scheduled meeting could be cancelled.

Sincerely,

OWEN M. FISS
Attorney
Civil Rights Division

Fin

LAW OFFICES OF
THURLOW SMOOT
55 PUBLIC SQUARE
CLEVELAND, OHIO 44113
PHONE: 781-1930

March 26, 1968

Mr. Owen Fiss
Department of Justice
Civil Rights Division
Washington, D. C.

#34-035-18

DOCKETED

MAR 27 1968

CIVIL RIGHTS

Re: United States of America -vs- International
Brotherhood of Electrical Workers, Local No. 38,
et al.
Case No. C 67-575

Dear Mr. Fiss:

Enclosed is a copy of settlement Local 38 IBEW reached with the Equal Employment Opportunity Commission settling the same issues between them as between the Department of Justice and Local 38 in the above case. We are advised that due to the Department of Justice objections to this agreement, it has been refused acceptance by the Equal Employment Opportunity Commission, and they have been advised by the Department of Justice not to settle this matter with us.

In our last meeting with Judge Green, he criticized both the Department of Justice and Local 38 efforts in regard to settlement and suggested that we get together and attempt in good faith to come to an agreement. I was delayed by spending 4 or 5 full days negotiating with the EEOC and then waiting 8 weeks while the Department of Justice finally advised them not to accept the agreement.

I would like now to confirm meeting with you in my office in Cleveland on Tuesday, April 9, to find why the attached settlement agreement is not acceptable to the Department of Justice as the settlement of this case or to find upon what basis, if any, we can settle this case.

Very truly yours,

Thurlow Smoot
Thurlow Smoot
Attorney for Defendants

TS:ko
Enc.

170-57-5	
DEPARTMENT OF JUSTICE	
27	MAR 27 1968
F.S.O.	
CIV. RIGHTS DIV.	