

PARTIN ARREST ORDER IS ASKED

T-P 10-2-68
NLRB Says Union Chief
Violated Decree

The National Labor Relations Board has asked the U.S. Fifth Circuit Court of Appeals to order that Baton Rouge labor leader Edward G. Partin be jailed and held until he complies with a court decree.

Labor board attorneys have asked the court to adjudicate Partin, business manager of Teamsters Union Local Five, in civil contempt without a hearing. They also asked for issuance of a body attachment writ, directing the nearest marshal to take him into custody.

The court has taken no action on the request of the board.

The NLRB motion grows out of a case decided by the fifth circuit Jan. 5, in which the court upheld a finding of the board that the union engaged in unfair labor practices against a member, Joseph D. Albin, and violated his rights under two sections of the Labor Management Relations act. The fifth circuit granted the NLRB application for enforcement of its orders in this connection.

The board found that Partin personally threatened Albin with a pistol. A second finding concerned actions against Albin's Baton Rouge employer, Ryder Truck Lines, which consisted of an insistence that Albin be fired, threats of actions, and a massive protest gathering at the truck terminal.

FEUD ALLEGED

In the court's Jan. 24 decision it relates a long history of feuding between Partin and Albin, beginning in 1961 when Albin filed union charges against Partin, charging, among other things, that Partin misappropriated union funds.

The executive board of the

local exonerated Partin but found Albin and another member guilty on countercharges. On appeal to the union appellate agency all parties were exonerated.

The NLRB order, enforced by the court, enjoined the union and Partin from causing or attempting to cause Ryder to discriminate against any employe for engaging in any activities protected by the Labor Management Relations act and from interfering with protected rights of any employe.

The decree required the union and its officers, not only to notify Ryder that it has no objections to Albin's employment, but also to post notices signed by Partin and mail notices to each of its members announcing that it will not oppose Ryder's employment of Albin.

NEED STRESSED

The fact that Albin is employed elsewhere now, the board claims, does not destroy the need or the propriety of the board's remedy. Conceivably, it is contended, Albin may make application to return to Ryder.

"Patently, therefore, the need of complying with the affirmative provisions of the decree is real and immediate and the continued willful refusal of the union and Partin to comply is causing irreparable injury to the policies of the act and frustrates the purposes which the board sought to achieve by its order," the NLRB argues.

It also claims that there is no merit to the union defense that the case is moot because Albin is no longer employed by Ryder. It also contends that Partin's claim that he had no knowledge of the decree is "patently sham" and contradicted by evidence.