

**THE PUBLIC REVIEW BOARD
INTERNATIONAL UNION, UAW**

APPEAL OF:

DALE GARRISH, et al, Members
LOCAL UNION 594, UAW, REGION 1
(Pontiac, Michigan),
Appellants

-vs-

CASE NO. 1480

UAW NATIONAL GENERAL MOTORS DEPARTMENT
(THE UNITED AUTOMOBILE, AEROSPACE
AND AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA),
Appellee.

DECISION

(Issued October 25, 2004)

Appellants charge that improper considerations influenced the General Motors Department's decision not to demand the reinstatement of their grievances challenging the credentials of two new hires into their skilled-trades classification.

FACTS

Dale Garrish is a skilled-trades Vehicle Builder at General Motors' Pontiac Truck Plant in a bargaining unit represented by UAW Local Union 594. General Motors (GM) and the UAW completed negotiating a new National Agreement in April 1997, but Local 594 went on strike over local issues. The strike lasted 87 days and ended in July 1997. According to the International Union, as part of the settlement of the strike, the Union convinced GM to hire hundreds of new production and maintenance employees and to add dozens of new skilled-trades positions.¹

On August 4, 1997, GM hired Gordon Campbell and Todd Fante into the skilled-trades classification of Experimental Auto Product Layout and Development. On August 5, Local 594 District Committeeperson Mike Fitch filed Grievance 091556 challenging the credentials and ability of Campbell and Fante.² On August 29, Committeeperson Gene Austin filed Group Grievance 006888 challenging the credentials of all the new hires in the Auto Product Layout Development classification after August 1, 1997. The grievance demands that all new hires not meeting

¹ Record, p. 156.

² Record, p. 9.

journeyman requirements be removed.³ On August 29, Austin filed two more group grievances on behalf of skilled-trades Vehicle Builders at the Pontiac Truck Plant, one challenging the credentials of Gordon Campbell and the other challenging the credentials of Todd Fante.⁴ According to Dale Garrish, these two grievances, Group Grievance 006889, and Group Grievance 006890, contained 13 pages of signatures including his own.⁵

Grievance 091559 indicates that it was withdrawn by Skilled Trades Zone Committeeperson W. J. Coffey on February 9, 1998. In a memorandum dated February 6, 1998, explaining his decision, Coffey wrote:

“After personally reviewing the résumés and credentials of both Todd Fante and Gordon Campbell, and after speaking with Company representatives for whom they work, I am completely satisfied that their qualifications are more than adequate, and that they meet the necessary requirements under par. 178 of the National Agreement.”⁶

In November 1998, Skilled Trades Zone Committeeperson Dan Kell questioned the Local 594 Shop Committee Chairperson, Jay Campbell, about the status of Grievances 006888, 006889 and 006890. According to Kell's notes, Campbell responded that these grievances had been disposed of when Committeeperson Coffey withdrew Fitch's Grievance 091559.⁷ On November 6, 1998, Kell obtained a copy of Coffey's February 6 memorandum concerning Grievance 091559 from GM's Labor Relations Representative Steve Friedle. On November 30, Kell wrote to Chairperson Campbell asking him if the February 6 memorandum had, in fact, been written by Coffey, and if it disposed of the other open grievances on the subject of the credentials of Fante and Campbell. Kell's notes indicate that Committeeperson Coffey called him on January 19, 1999, and confirmed that he had written the memorandum.⁸ Based on this information, Kell withdrew Grievances 006888, 006889 and 006890 on February 3, 1999.

On February 22, 1999, Dale Garrish and twenty-five other skilled-trades members appealed the withdrawal of the three grievances to the Local 594 membership. The Local 594 Shop Committee determined that the appeal was untimely and so informed Garrish on March 30, 1999. Garrish appealed the Shop Committee's ruling to the membership on April 21. The membership considered the appeal at a

³ Record, p. 10.

⁴ Record, pp. 11, 12.

⁵ Record, p. 39.

⁶ Record, p. 13.

⁷ Record, p. 16.

⁸ Record, p. 22

meeting on November 7, 1999; the minutes indicate that the membership voted to accept his appeal as read, but according to Garrish, the appeal was defeated.⁹ On December 3, 1999, Garrish appealed the membership's ruling that the appeal was untimely to the International Executive Board (IEB).

Presidential Administrative Assistant Gary Bryner conducted a hearing on Garrish's appeal on February 1, 2000, on behalf of International President Stephen Yokich, and prepared a report for the IEB based on the evidence presented at the hearing. Bryner concluded that the appeal was timely and directed the Local to hear it. The IEB accepted Bryner's report as its decision.¹⁰

In a letter to President Yokich on March 20, 2000, Local 594 Chairperson Bill King wrote that Garrish's appeal was heard during a membership meeting on March 19, 2000, and the membership voted to grant the appeal. Chairperson King stated that he advised the membership during the meeting that he would have to seek advice from the International Union on the application of Document 68 and Paragraph (178) of the National Agreement to the situation, and obtain a recommendation on how to proceed. Paragraph (178) of the National Agreement defines the term journeyman/woman.¹¹ Document 68 is a Letter of Understanding in the National Agreement applicable to the administration of Paragraph (178). It provides that when journeyman/woman status is not clearly established, the Company will furnish the Chairperson of the Shop Committee with any documents presented by the applicant to support his or her qualification, and that the matter will be thoroughly investigated before any employee is hired.¹² Chairperson King noted that on February 27, 1998, Representative Ernie Emery of Region 1 had denied Todd Fante's application for a UAW Journeyman's Card

⁹ Record, pp. 37, 42.

¹⁰ Record, pp. 48, 54.

¹¹ Paragraph (178) of the 1999 GM-UAW National Agreement states:

"The term 'journeyman/woman' when used in this Agreement means an employee who: (1) has satisfactorily completed a bonafide apprentice training course with similar standards to the GM-UAW Apprentice Training Program; or (2) one who has properly carried such journeyman/woman status in any General Motors plant under the terms of previous agreements between the parties; or (3) one who has been reclassified as a journeyman/woman under the terms of a Skilled Trades Sections of this Agreement; or (4) one, newly hired, who meets one of the alternative requirements or can prove work experience in the trade at least equivalent to that on-the-job experience required for reclassification to journeyman/woman status of those employees-in-training covered in Paragraph (166) of this Agreement. Copies of any documents presented pursuant to this provision will be furnished to the Chairperson of the Shop Committee upon request."

¹² The letter states, in pertinent part:

"...The Corporation stated it would inform local managements that when proof of journeyman/woman status is not clearly established, such documentation will be furnished to the Chairperson of the Shop Committee and the matter will be thoroughly investigated before any employee is hired. ..."

based on his determination that Fante did not have 8 years experience in the trade.¹³ King concluded:

“Given [that] both members have continued to work from 8-4-97 to present as Journeyman Experimental Auto (2024). Considering this I am respectfully requesting the proper direction, interpretation and application of Document 68 N. A. and Paragraph 178 N. A., so that I can put full resolve for our membership on this issue.”¹⁴

On March 27, President Yokich advised King that his inquiry had been referred to Vice President Richard Shoemaker for investigation and follow-through.

On May 10, 2000, Dale Garrish wrote to President Yokich that Chairperson King had received no response from Vice President Shoemaker to his inquiry of March 20. Describing the membership’s action on March 19, Garrish wrote that record numbers of skilled tradesmen assembled for a special membership meeting and voted overwhelmingly in favor of approving his appeal. Garrish charged that Fante and Campbell had been given extraordinary consideration because of family connections and that these considerations had been a factor in the settlement of the 1997 strike. Garrish stated that he believed that Shoemaker had a conflict of interest in the matter that might prevent him from issuing a timely response since the two individuals were hired with his blessing. Garrish asked for President Yokich’s assurance that the issues raised by his appeal would receive a timely response.¹⁵

Assistant Director Willie Williams of the GM Department responded to Garrish’s inquiry on January 17, 2002. Williams reported that when the Local tried to reinstate Garrish’s grievances, the Company correctly responded that only the International Union could demand the reinstatement of a grievance, and that such demand had to be based on a decision of the IEB, the Public Review Board (PRB), or the Convention Appeals Committee (CAC).

Williams advised Garrish that he had investigated the merits of the Local Union’s decision to withdraw the grievances protesting Fante’s and Campbell’s credentials and concluded that the decision was reasonable. Williams pointed out that the definition of journeyman/woman under Paragraph (178) of the National Agreement includes employees who can prove eight years work experience in the trade equivalent to that required for reclassification to journeyman/woman status of employees-in-training

¹³ Record, pp. 14, 56.

¹⁴ Record, p. 56.

¹⁵ Record, pp. 61-62.

covered in Paragraph (166) of the Agreement.¹⁶ With respect to the two employees whose credentials had been challenged, Williams wrote:

“The two employees in question furnished the necessary documentation as required to be hired pursuant to Paragraph (178). Indeed, their qualifications were reviewed in great detail by both local management and Local 594 prior to their being hired, and both parties concluded that they met the relevant requirements.”¹⁷

Williams noted that Fante and Campbell were hired at the same time as dozens of other skilled-trades employees with similar qualifications, and that none of the other new hires had been challenged. Furthermore, he pointed out that these two employees had been performing their jobs without any complaints from Management or co-workers since the summer of 1997. Finally, Williams stated that he could find no evidence that Garrish or any other skilled-trades employee had been denied a job or injured financially in any other way as a result of the hiring of Fante and Campbell. Williams concluded that the Local Union was correct in its decision that an arbitrator would not uphold Garrish’s grievance.¹⁸

Garrish appealed Williams’ decision to the IEB on February 5, 2002. International President Ron Gettelfinger’s staff determined that a hearing was unnecessary on the appeal and prepared a report on behalf of the President for the IEB based on the information provided by the appellants, the Local Union and the GM Department. The staff remarked that Garrish’s complaint about the two employees hired in 1997 had also been the subject matter of civil litigation and unfair labor practice charges before the National Labor Relations Board (NLRB), and that all of these actions had been dismissed.¹⁹

The staff’s report indicates that the appellants submitted documents demonstrating that some members of GM’s plant management questioned the qualifications of the two challenged employees. In addition, the appellants submitted the letter from Representative Ernie Emery of Region 1 denying Fante’s application for

¹⁶ Paragraph (166) of the GM-UAW National Agreement provides as follows:

“Effective July 1, 1977, employees who are or were classified as employees-in-training (E.I.T.) or employees-in-training-seniority (E.I.T.S.) for the first time subsequent to September 1, 1958, shall be classified as journeymen/women when they have worked eight (8) years in that skilled trades classification in any plant, except as provided in Appendix C, and except that such employees who were not working in that skilled classification on July 1, 1977, due to layoff or reduction in force will be reclassified to journeyman/woman status upon recall to the skilled classification.”

¹⁷ Record, p. 83.

¹⁸ Record, p. 83.

¹⁹ Record, p. 90.

a Journeyman's Card. The President's staff noted that despite doubts expressed by one member of plant management, GM finally did conclude that Campbell and Fante were qualified for the skilled-trades positions for which they were hired.²⁰ In response to appellants' claim that the Region had rejected Fante's application for a Journeyman's Card based on a lack of experience, the staff wrote that the refusal of a Journeyman's Card did not necessarily mean that the individual was not qualified to be hired. On this point, the staff quoted the following statement by the GM Department:

"It is not a contractual requirement for a person hired to have a UAW Journeyman's Card or be able to obtain one to be employed or maintain employment. As stated previously, management has the right to hire. The Union has the right to challenge the credentials and review the submitted credentials. Furthermore, there are many examples of skilled trades people hired that because of internal UAW requirements may have had their applications rejected and may have later obtained a Journeyman's Card. Likewise, there are the opposite examples, whereby an individual may possess a UAW Journeyman's Card but cannot obtain employment because they do not meet the Company requirements to be hired into a particular trade."²¹

Finally, the staff concluded that the fact that the two challenged employees happened to be related or connected to Union officials did not constitute misconduct on anyone's part or a violation of the UAW-GM National Agreement.²² The President's staff held that the decision of the GM Department not to demand the reinstatement of Garrish's grievances in accordance with the membership's request was rational, and that there was no evidence of discrimination, fraud or collusion with Management.²³

The staff denied Garrish's appeal and its decision was adopted by the IEB. Garrish was notified of the IEB's decision on February 24. He has now appealed to the PRB.

ARGUMENT

A. Dale Garrish, on behalf of appellants:

After negotiations between the UAW and GM were completed in April 1997, the leaders of Local 594 and the International Union kept us out on strike for an additional 87 days solely for the purpose of forcing GM to hire relatives of union officials. Our

²⁰ Record, p. 94

²¹ Record, p. 95.

²² Record, p. 95.

²³ Record, p. 96.

being on strike means 6,000 UAW members were out of work. These relatives included Gordon Campbell, the son of Local 594 Shop Chairperson Jay Campbell, and Todd Fante, the son of another Local Union official.

Under our contract, any journeyman can file a grievance challenging the qualifications of a new hire who claims to have journeyman qualifications. If the qualifications are valid, then the grievance is withdrawn. But, if the person who is challenged cannot prove that he or she is a qualified journeyman then that person is either offered a job in production or that person must be fired. We challenged the qualifications of Campbell and Fante and the former Skilled Trades Committeeperson William Coffey withdrew our grievances without informing us. Coffey is a close friend of Chairperson Campbell. The Local ordered our grievances reinstated and we appealed to the President's office to demand that the Company reinstate the grievances.

Two years later, Vice President Shoemaker's office issued a letter denying our appeal. One of the employees hired by GM as a result of the settlement of our strike was Shoemaker's son, so there was a potential conflict of interest in his handling of our appeal. We appealed the ruling of Shoemaker's office to the IEB. Two more years later, the IEB denied our appeal, allegedly on the merits. The denial was supposedly based on the thorough investigation conducted by Vice-President Shoemaker's office. Yet, no one from the International Union interviewed me, or any other grievant, before forming their conclusions. We believe that the UAW leadership has been dishonest in dealing with us. The decision of the IEB is just plain wrong and is meant to cover up wrongful conduct by UAW officials, both at Local 594 and the International Union.

The IEB asserts that we did not present any evidence to support our allegations that the two individuals were not qualified. This is false. This appeal has been the subject of a lawsuit in federal court. All of the exhibits attached to our appeal have been in the possession of the IEB, or its attorneys, for the past four years.

GM Department Representative Williams claimed that the two employees were qualified journeymen because they met the experience requirement of Paragraph (166). Paragraph (166) requires eight years of experience. We submitted the letter from Ernie Emery denying Fante's application for a Journeyman's Card based on his conclusion that Fante did not have eight years of service in the trade. Thus, Williams' finding is directly contradicted by Emery's letter.

When the Agreement refers to eight years in the trade, it means having the education and training associated with that trade as set forth in the Apprentice Uniform Shop Training Schedules set out in the Agreement. In this case, the classification is Experimental Auto (Product Engineering Layout & Assembly). The requirements are on page 680 of the Agreement attached to our appeal as Exhibit 3.²⁴ Neither Fante nor Campbell had the 7,904 hours of training in the specific tasks of the Experimental Auto Classification required by the Contract.

²⁴ Record, pp. 118-129.

On May 19, 1998, Labor Relations Supervisor Steve Friedle wrote to Industrial Relations Director Shawn Pallagi concerning what he considered to be a violation of Federal Law. Friedle wrote that during the 1996 local negotiations, the Local Union demanded that Management hire three individuals who have ties to current and past Local Union officials. He identified these individuals as Gordon M. Campbell, Todd B. Fante, and Michael Freer. Friedle claimed that Campbell and Fante were not qualified. Friedle's letter is attached to our appeal as Exhibit 4.²⁵ Exhibit 5 to our appeal is a memorandum titled, "Additional Background on Union Demands," which identifies the Union's demand that three relatives be hired as a potential violation of Section 302 of the Labor Management Relations Act, (29 U. S. C. §186).²⁶

When the Local submitted the skilled-trades settlement to the membership for ratification, it covered up its proposal demanding that Campbell and Fante be hired. The proposal was approved because all the membership knew was that Management's counter proposal was the manpower agreed upon. Exhibit 8 to our appeal shows the Union Proposal to add three new hires with Campbell's and Fante's names written next to the Proposal.²⁷ Exhibit 7 shows what was presented to the membership for ratification. The demand that Campbell and Fante be hired has been covered up on this copy of the Proposals.²⁸ If everything was on the up and up, then why did the UAW deliberately blank out the left side of Exhibit 7? If the UAW was, in fact, honest, then why not tell the members that the son of the Shop Chairman was hired as a Vehicle Builder and the son of a retired UAW official was also hired as a Vehicle Builder—even though they did not then produce the required documentation, nor have they done so at any time during these past seven years?

On December 1, 1998, Committeeperson Mike Fitch wrote to Superintendent Earl Gilcrest concerning Management's failure to require Journeyman's Cards from Fante and Campbell. This is Exhibit 9 to our appeal. Fitch wrote:

"In the case of Fante and Campbell they were not required to produce cards. You told me that decision, not requiring cards and being properly qualified under Para 178, was made above you and that they, Fante and Campbell, were untouchable.

You further stated that you were following orders regarding these individuals. You also indicated that these individuals, while good people, were not qualified."²⁹

²⁵ Record, pp. 130-132.

²⁶ Record, p. 134

²⁷ Record, p. 142.

²⁸ Record, p. 140.

²⁹ Record, p. 144.

This letter indicates that the highest levels in the International Union were involved in this conspiracy: a conspiracy to illegally hire union relatives at the expense of the UAW's own members. We each lost an average of \$15,000 during this strike in order that the relatives of union officials could be hired.

The IEB has stated that the contract does not require a Journeyman's Card from new hires that have the requisite experience. If the President's office truly believed that Campbell and Fante had eight years in the trade, why did its decision fail to cite any of the appropriate shop and related training that they allegedly received? Proof of eight years in the trade from non-GM employers must be verified by letters from those employers detailing the work that the individual did, and the education that the individual received. The UAW's denial of our appeal intentionally stayed away from the facts relating to the pre-GM experience of these relatives of union officials.

The burden is on the UAW to show that Gordon Campbell and Todd Fante were qualified to be hired as journeymen Vehicle Builders. The UAW has not shouldered that burden. We ask that the PRB order the UAW to reinstate our grievances and to take all other action that is within its jurisdiction to correct the UAW's wrongful conduct, including ordering the UAW International Union to pay all of us who were strikers in 1997 an amount commensurate with our economic loss.

B. International Union:

Appellant Garrish contends that because Campbell and Fante lacked the requisite training and experience to obtain a UAW Journeyman's Card in the Experimental Auto classification at the time that they were hired, they were not qualified. The critical factor in determining whether an applicant is qualified, however, is not whether he or she holds a Journeyman's Card, but whether he or she possesses the skills needed for the job. After a thorough investigation, GM Department Representative Willie Williams determined that Campbell and Fante were, in fact, qualified for the Experimental Auto positions that they were awarded. Although Garrish complains that none of the appellants were interviewed by Williams, there is nothing in the record to indicate that they had any first-hand information relevant to the investigation.

Paragraph (178) of the National Agreement expressly permits the hiring of an applicant who has on-the-job experience equivalent to what is acquired by employees-in-training under Paragraph (166). Put another way, an employee may be hired for any opening in a skilled job provided that he or she has eight years of experience in any relevant trade. The résumés provided here by the subject employees indicate that they fulfilled this requirement: both having had at least nine years of relevant job experience and schooling. Significantly, appellant Garrish has altogether failed to establish that the qualifications offered by Campbell and Fante were not equivalent to those acquired by employees-in-training. In the absence of any evidence of non-equivalence, the GM

Department's determination that both Campbell and Fante were qualified under Paragraph (178) is entitled to deference.

The hiring of Campbell and Fante has been the subject of a number of unfair labor practice charges, all of which were dismissed by the NLRB. Related civil complaints and criminal indictments in Federal Court were likewise dismissed. Thus, while the appellants may believe that the Union violated the law and its agreement with GM by obtaining jobs for the subject employees, they have yet to convince any neutral decision maker that this is the case.

Appellants claim that the 1997 strike was prolonged in order to secure jobs for Campbell and Fante, both of whom are related to former Local Union representatives. The only evidence in support of this claim comes from a Management representative whose personal animosity to certain members of the Union's Bargaining Committee renders him less than objective. Indeed, given that the leverage created by the strike allowed the Union to obtain hundreds of jobs, including dozens of positions in the skilled trades, Garrish's claim that the strike was over the hiring of two individuals lacks credibility.

Garrish places much weight on the fact that the skilled-trades proposal on manpower presented to the membership did not disclose the Union's position that these two Experimental Auto jobs should be added. The appellants claim that the Union deliberately marked out the portion of the proposal that contained this information in order to conceal its agenda. Even if such a misrepresentation was made, however, that fact would have no bearing on the question presented here: whether Campbell and Fante were qualified for the positions they were awarded.

Despite the fact that this question has been the subject of recurring litigation and impassioned political debate within the Local Union, this case is little more than a dispute about whether these individuals satisfied the requirement of having eight years of experience equivalent to that required for the reclassification of employees-in-training. As noted in Williams' report, the challenged employees' qualifications were as good as dozens of other skilled-trades workers who were hired at the same time. There have been no complaints from Management or workers about these employees' skills or performance. Moreover, none of the appellants has lost a job opportunity or suffered any harm, financial or otherwise, as a result of the decision to hire Campbell and Fante.

The Union's decision not to pursue the grievances challenging Campbell's and Fante's credentials was reasonable. Even if Garrish were to supply evidence that Campbell's and Fante's work experience was non-equivalent, the appellants would need to show that the Union's contrary conclusion was so unreasonable as to be devoid of any rational basis before a reversal would be warranted. A mere disagreement among reasonable minds is not enough. As the IEB's decision was rational, the appeal should be dismissed.

C. Appellants' reply to the International, by their Attorney, Harold Dunne:

The UAW asserts that this appeal is a simple disagreement over the qualifications of two new hires. Both of the two new hires challenged by appellants were the sons of UAW officials. In addition, the 87 day strike at the Pontiac Truck Plant also resulted in the hiring of the son of UAW Vice-President Richard Shoemaker and the son of an Administrative Assistant to then President Steven Yokich. Both of these sons were appointed to the UAW's staff after working for one year.

The UAW maintains that GM Department Assistant Director Willie Williams conducted a thorough investigation and determined that Campbell and Fante were qualified. The problem with this argument is that neither Williams nor the IEB has produced specific documents to support the claim that Campbell and Fante had eight years in the trade. Where are the letters from former employers attesting to time spent on work related to the Vehicle Builders Skilled Trades Classification? Where are the certificates showing completion of education courses related to the Vehicle Builders Classification?

The letter dated May 19, 1998, from Steve Friedle to Shawn Pallagi shows that GM Management had determined that Campbell and Fante did not have eight years of experience related to the Vehicle Builders Classification. Friedle's letter makes it clear that GM hired these two employees in violation of Section 302 of the Labor Management Relations Act (29 U. S. C. §186). It is Garrish's contention that the 87 day strike in 1997 was solely to extort from GM those personal favors for UAW officials, which are forbidden by law.

The UAW is incapable of being honest in this case. The UAW is incapable of rectifying an injustice it committed on its own members. The UAW is incapable of appearing before the PRB with clean hands. Therefore, appellants request that the PRB order the UAW to have Campbell and Fante removed as journeyman Vehicle Builders; that both employees be prohibited from using their experience as Vehicle Builders while at GM for future skilled-trades openings; and that appellants be reimbursed for all the monies lost during the 1997 strike.

DISCUSSION

We have denied oral argument in this case because the narrow issue presented by the appeal has been thoroughly investigated and analyzed by the Union and the Company. The record shows that the credentials of Campbell and Fante were challenged and reviewed by representatives of Management and the Local Union at the time that they were hired. Their qualifications were given further scrutiny by the GM Department in response to this appeal.

Appellant Garrish has asserted that the investigation conducted by the GM Department was inadequate. In the statement he submitted on behalf of the appellants

in this case, Garrish asserted that the burden is on the UAW to show that Gordon Campbell and Todd Fante were qualified to be hired as journeymen Vehicle Builders, but there is no basis for this assertion in either the GM-UAW National Agreement or in the International Constitution.

Under Paragraph (8) of the National Agreement, only the Corporation has the right to decide which employees to hire.³⁰ In the case of skilled-trades employees, a Letter of Understanding, designated as Document No. 68 of the GM-UAW National Agreement, describes a procedure for reviewing the credentials of new hires into skilled-trades classifications where proof of journeyman/woman status in the classification is not clearly established. Committeeperson Mike Fitch invoked this procedure when Campbell and Fante were hired by filing Grievance 091556. Skilled Trades Zone Committeeperson W. J. Coffey reviewed the credentials of Campbell and Fante and determined that they were qualified for their positions. That review was all that Document No. 68 required.

Coffey's investigation and findings resolved the issues raised by appellants' Group Grievance 006889 challenging Campbell's credentials and Group Grievance 006890 challenging Fante's, and these two grievances were withdrawn on that basis. When Garrish appealed the withdrawal of these grievances, it was his burden to establish grounds for disturbing Coffey's decision. As noted, Document No. 68 describes a process that permits the Chairperson of the Shop Committee to review the credentials of any newly hired skilled-trades employees to ensure that they meet the requirements of Paragraph (178). The decision whether the requirements of Paragraph (178) have been satisfied is left to the discretion of the Shop Committeeperson. There is no requirement that the Shop Committeeperson provide evidence to other members of the relevant skilled-trades classification demonstrating that the challenged employee is qualified.

The UAW's GM Department reviewed the evidence and found that Coffey's decision was rational. The appellants have produced no convincing evidence to contradict that finding. There is nothing in the record of this appeal to support appellants' contention that Campbell and Fante lacked the qualifications to be hired into a skilled-trades classification, such as complaints from their immediate supervisors or co-workers. There is only the letter from Labor Relations Supervisor Steve Friedle to Industrial Relations Director Shawn Pallagi stating his opinion that Fante and Campbell are not qualified. Friedle's letter does not reveal the basis for his opinion. He does not claim to have had any direct contact with either employee.

Friedle's letter does reveal that Fante and Campbell have ties to people associated with UAW Local 594. When they appealed the GM Department's decision to

³⁰ Paragraph (8) of the 1999 GM-UAW National Agreement provides, in pertinent part, as follows:

"The right to hire; promote; discharge or discipline for cause; and to maintain discipline and efficiency of employees, is the sole responsibility of the Corporation except that Union members shall not be discriminated against as such. ..."

the IEB, appellants suggested that this, in itself, was evidence of impropriety. The opinion adopted by the IEB acknowledged this argument, and observed that this was a very political issue within the Pontiac Truck Plant. The IEB's opinion concluded, however, that the fact that the two individuals were related or connected to Union officials did not constitute misconduct on anyone's part or a violation of the UAW-GM National Agreement.

In response to this point, appellants have presented two versions of the 1999 Skilled Trades Proposal. On one of the Proposals, the Union's side of the Proposal has been blocked out. Appellants argue that this is evidence that the Union was trying to hide the fact that it had requested the Company to hire Fante and Campbell. The fact that there exists a version of the 1999 Skilled Trades Proposal with the Union's proposal blocked out is not significant, absent any indication of when the two versions of the proposals were prepared or for what purpose. It seems unlikely that the Union's demands were blocked out solely to cover up the demand that three new positions be added to the Vehicle Builders Classification. There is no indication when Campbell's and Fante's names were written on this document, or who wrote them.

The appellants have not identified any provision of the GM-UAW National Agreement or the International Constitution that would have been violated by the Local Union's request that GM hire two individuals who happened to be related to Local Union officials. The IEB has concluded that the evidence supported the Union's decision not to demand the release of Fante and Campbell pursuant to Document 68. In challenging that conclusion, appellants have the burden of establishing that the Union's decision was so lacking in foundation as to be irrational. Far from meeting that burden, they have produced no evidence that Fante and Campbell lacked the qualifications to be hired into the Vehicle Builders Classification in 1997.

In presenting their appeal to the PRB, the appellants have shifted their focus from the qualifications of Fante and Campbell to the Union's decision to call a strike in 1997. The appellants now claim that the strike was called in order to force the Company to hire not only Campbell and Fante, but the son of UAW Vice-President Shoemaker and the son of an Administrative Assistant to President Stephen Yokich. They now assert that members of UAW Local 594 lost an average of \$15,000 during this strike just so that relatives of union officials could be hired.

Appellants have not disputed the International Union's claim that the UAW gained hundreds of new production jobs and dozens of new skilled-trades positions at the Pontiac Truck Plant as a result of the 1997 strike. In light of this circumstance, appellants' allegation that the real purpose of the strike was to force the Company to hire a few relatives of Union officials seems far-fetched. There is no evidence in this record to support such an allegation.

That issue is not before us in any event. Article 50 of the International Constitution describes the procedure for authorizing strikes. Under Article 50, §4, the power to authorize strikes resides exclusively with the IEB, or in the case of an

emergency, with the International President.³¹ Appellants in this case have not perfected any Constitutional challenge or appeal of the IEB's decision to authorize a strike at Local 594 in 1997.

The decision of the IEB is affirmed.

³¹ Article 50, §4, describes that Constitution authority to authorize strikes as follows:

“...Such power and authority resides exclusively in the International Executive Board and the International President, and may be exercised only by collective action of the International Executive Board as provided in Section 2 of this Article or by emergency action of the International President as provided in Section 3 of this Article.”