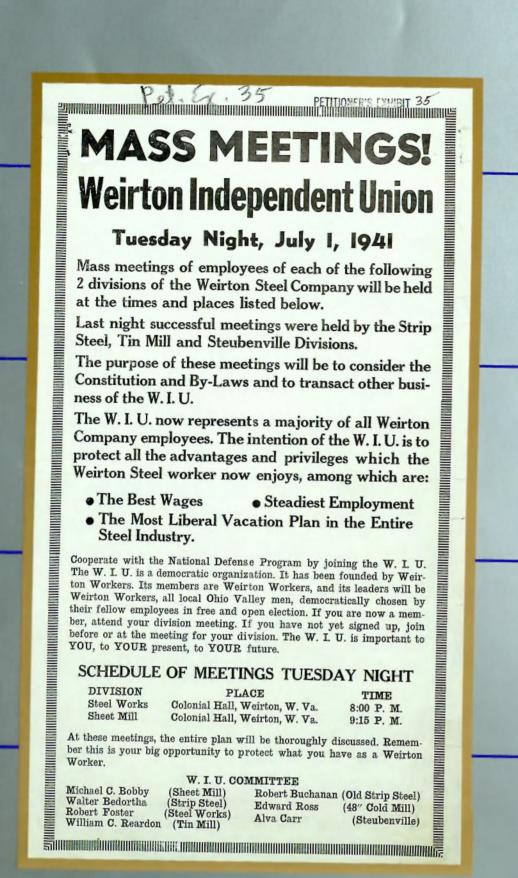
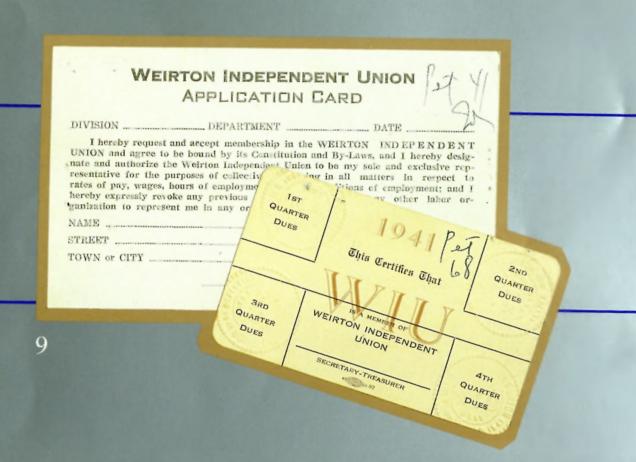
National Labor Relations Board v. Weirton Steel Company

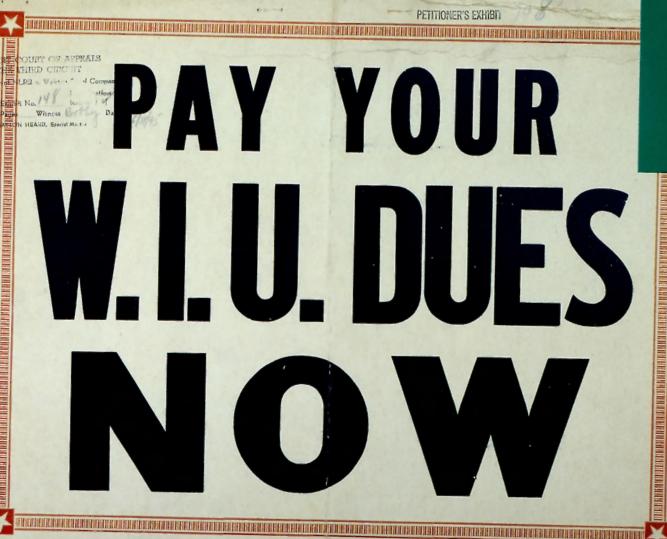
U.S. Court of Appeals for the Third Circuit, Case No. 8041, 135 F. 2d 494 (3d Cir. 1943)

"cease and desist from the unfair labor practices found"

Opinion, May 4, 1943









n 1933 the management of Weirton Steel, which employed over 10,000 workers, established the Employees Representation Plan (ERP), an employer-dominated organization, replaced in 1941 by the Weirton Independent Union. The ERP and the Weirton Steel Employees Security League of "socalled 'special watchmen' " steadfastly opposed the introduction of "outside" unions, like those affiliated with the Congress of Industrial Organizations (CIO).

After the Supreme Court upheld the constitutionality of the National Labor Relations Act in 1937, the CIO increased its efforts to organize Weirton's workers. It believed Weirton's employees would never enjoy the basic benefits which organized labor had gained for other American workers until they could join a union of their choice, rather than one imposed by Weirton's management.

Tension escalated quickly. Weirton Security League men harassed and beat a number of CIO supporters and the company dismissed and evicted seventeen others from the workplace. As the two sides squared off, authorities feared that the situation would get out of control. The National Labor Relations Board held extensive hearings and ultimately ordered Weirton Steel to cease and desist from its unfair labor practices and to reinstate the seventeen employees. The Board sought enforcement from the federal Court of Appeals. In 1943 that court found in favor of the Board and organized labor, and ordered Weirton Steel to allow its employees to be represented by any labor organization of their choice. It also ordered the reinstatement of the fired workers.

The controversy persisted, however. In 1950 the U.S. Circuit Court of Appeals for the Third Circuit found Weirton Steel in contempt of court for refusing to comply with its 1943 order.

- All documents are from the National Archives, Records of the U.S. Courts of Appeals.
- 1. "Petitioner's Exhibit 35," July 1, 1941.
- 2. "Respondent's Exhibit 418, Exhibit No. 7." Crowd gathered outside Weirton Steel plant, ca. 1941.
- 3. Lapel button, ca. 1940.
- 4. "United Steelworkers of America Dues Card Envelope and Membership Book," 1943.
- 5. "Petitioner's Exhibit #1871," 1944; "Exhibit No. 9, RX 416," ca. 1941; and "United Steelworkers of America Membership Book," 1943.
- 6. Transcript of proceedings, 1942-1947.
- 7. "Opinion, (Filed May 4, 1943)"
- 8. "Petitioner's Exhibit No. 148," ca. 1944.
- 9. "Petitioner's exhibit no. 41," n.d.; "Petitioner's exhibit no. 68," 1941.

