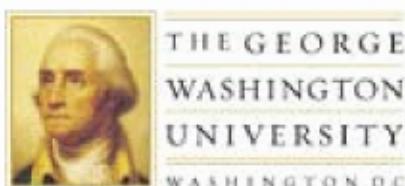


# The Burger Court Opinion Writing Database

*Garment Workers v. Quality Manufacturing Co.*

420 U.S. 276 (1975)

Paul J. Wahlbeck, George Washington University  
James F. Spriggs, II, Washington University in St. Louis  
Forrest Maltzman, George Washington University



Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
THE CHIEF JUSTICE

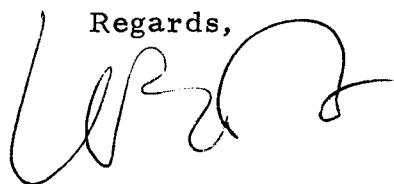
January 29, 1975

Re: 73-765 - Intl. Ladies' Garment Workers v. Quality Mfg.  
73-1363 - NLRB v. Weingarten

MEMORANDUM TO THE CONFERENCE:

Enclosed find opinion suggesting need for  
a remand for a reasoned opinion by the Board, given  
the change in a policy of 30 years standing.

Regards,



Wm. Douglas  
Oct 14

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM O. DOUGLAS

February 3, 1975

Dear Bill:

Please join me in 73-765,  
INTERNATIONAL LADIES' GARMENT WORKERS'  
v. QUALITY MANUFACTURING CO.

WILLIAM O. DOUGLAS

Mr. Justice Brennan  
cc: The Conference

To: The Chief Justice  
Mr. Justice Douglas  
Mr. Justice Stewart  
Mr. Justice White  
Mr. Justice Marshall  
Mr. Justice Blackmun  
Mr. Justice Powell  
Mr. Justice Rehnquist

## 2nd DRAFT

From: [Redacted], P.

## SUPREME COURT OF THE UNITED STATES

Circulated: 1/16/75

No. 73-765

Recirculated: \_\_\_\_\_

International Ladies' Garment  
Workers' Union, Upper  
South Department,  
AFL-CIO, Peti-  
tioner,  
v.  
Quality Manufacturing Com-  
pany et al.

On Writ of Certiorari to  
the United States  
Court of Appeals for  
the Fourth Circuit.

[January —, 1975]

MR. JUSTICE BRENNAN delivered the opinion of the Court.

We set this case for argument with No. 73-1363, *NLRB v. Weingarten, Inc.*, *ante*, p. —, 416 U. S. 968 (1974). The National Labor Relations Board held in this case, as it held in *Weingarten*, that respondent employer's denial of an employee's request that her union representative be present at an investigatory interview which the employee reasonably believed might result in disciplinary action, constituted an unfair labor practice in violation of § 8 (a)(1) of the National Labor Relations Act, 29 U. S. C. § 158 (a)(1), because it interfered with, restrained and coerced the individual right of the employee, protected by § 7 of the Act, 29 U. S. C. § 157, "to engage in . . . concerted activities for . . . mutual aid or protection . . ." 195 N. L. R. B. 197 (1972). The Court of Appeals for the Fourth Circuit held, as the Court of Appeals for the Fifth Circuit held in *Weingarten*, that this was an impermissible construction of § 7 and denied enforcement of so much of the Board's order as directed

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE POTTER STEWART

January 17, 1975

Re: No. 73-765, ILGWU v. Quality Manufacturing  
Company

Dear Lewis,

Please add my name to your dissent in this case.

Sincerely yours,

PS

Mr. Justice Powell

Copies to the Conference

✓  
Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE BYRON R. WHITE

January 8, 1975

Re: No. 73-765 - International Ladies' Garment  
Workers' Union v. Quality Mfg Co.

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Brennan

Copies to Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

January 6, 1975

Re: No. 73-765 -- International Ladies' Garment Workers'  
Union, Upper South Department, AFL-CIO v. Quality  
Manufacturing Company et al.

Dear Bill:

Please join me.

Sincerely,



T. M.

Mr. Justice Brennan

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20542

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

January 20, 1975

Re: No. 73-765 - ILGWU v. Quality Manufacturing Co.

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Brennan

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

January 7, 1975

No. 73-765 International Ladies' Garment  
Workers v. Quality Manufacturing Co.

No. 73-1363 NLRB v. Weingarten

Dear Bill:

In due time, I will circulate a dissent in  
the above cases.

Sincerely,

*Lewis*

Mr. Justice Brennan

CC: The Conference

LFP/gg

January 16, 1975

No. 73-765 International Ladies' Garment  
Workers v. Quality Mfg. Co.

No. 73-1363 NLRB v. Weingarten

Dear Potter:

Enclosed are two copies of each of the above  
dissents.

Please let me know if you have any comments.

Sincerely,

Mr. Justice Stewart

LFP/gg

To: The Chief Justice  
Mr. Justice Douglas  
Mr. Justice Brennan  
Mr. Justice Stewart  
Mr. Justice White  
Mr. Justice Marshall  
Mr. Justice Blackmun  
Mr. Justice Rehnquist

## 1st DRAFT

## SUPREME COURT OF THE UNITED STATES

From: Powell, J.

JAN 17 1975

No. 73-765

Circulated:

Recirculated:

International Ladies' Garment  
Workers' Union, Upper  
South Department,  
AFL-CIO, Peti-  
tioner,  
*v.*  
Quality Manufacturing Com-  
pany et al.

On Writ of Certiorari to  
the United States  
Court of Appeals for  
the Fourth Circuit.

[January —, 1975]

MR. JUSTICE POWELL, dissenting.

For the reasons stated in *NLRB v. Weingarten*, No. 73-1363, *ante*, I dissent.

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

January 16, 1975

Re: No. 73-765 - International Ladies' Garment Workers  
v. Quality Manufacturing Co.

Dear Bill:

Please join me.

Sincerely,

Wm

Mr. Justice Brennan

Copies to the Conference