

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

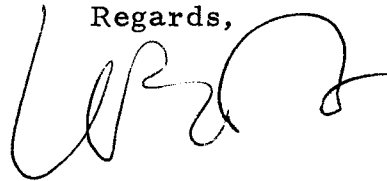
January 29, 1975

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. Doyle
act 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

✓
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U.S. SUPREME COURT RECORDS

THE ADVANCE OF CONCRETE

Recirculated:

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

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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

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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.
T.M.

Mr. Justice Brennan

cc: The Conference

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

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

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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

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OF THE MANUSCRIPT DIVISION

U.S. DEPARTMENT OF JUSTICE

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.

No. 73-765

Circulated: JAN 17 1975

Re-circulated:

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.

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UNITED ADVANCE OF CONGRESS

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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,

WR

Mr. Justice Brennan

Copies to the Conference

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