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Attorneys for defendant Diamond Shamrock
Chemicals Company.

-----:
IRONBOUND HEALTH RIGHTS ADVISORY COMMISSION et al. : SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION - ESSEX COUNTY
: DOCKET NO. L-10358-86
Plaintiffs, :
vs. :
DIAMOND SHAMROCK CHEMICALS :
COMPANY et als. :
Defendants. :
-----:
JOHN BRENNAN et al. : SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION - ESSEX COUNTY
Plaintiffs, : DOCKET NO. L-045269-85
vs. :
DIAMOND SHAMROCK CHEMICALS : Civil Action
COMPANY et als. :
Defendants. : REQUEST FOR ADMISSIONS
-----:

TO: GORDON, GORDON & HALEY
80 Main Street
West Orange, New Jersey 07052
Attorneys for Plaintiffs

SIRS:

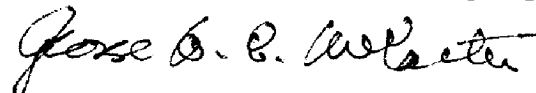
PLEASE TAKE NOTICE that the undersigned, attorneys for defendant Diamond Shamrock Chemicals Company, hereby request that plaintiffs make the following admissions, pursuant to R. 4:22 of the Rules of Civil Practice:

1. Annexed hereto as Exhibit A is a true copy of a Notice dated March 17, 1960 and published to employees of Diamond Alkali Company, predecessor of defendant Diamond Shamrock Chemicals Company (hereinafter "Diamond"), at or about the date shown on its face.

2. Annexed hereto as Exhibit B is a true copy of a bulletin from District 50, United Mine Workers of America, dated April 30, 1962 and distributed to employees of Diamond on or about that date.

McCARTER & ENGLISH
Attorneys for Defendant Diamond
Shamrock Chemicals Company

by:



George W. C. McCarter
A Member of the Firm

Dated: March 1, 1989

Exhibit A

cc: Post-Bulletin Board

W. Dellova

P. Koskey

H. Smith

W. Tobin

J. Wolf

File

NOTICE

Since heat and hot water are again available at the plant, the maintenance and production men have been scheduled as previously. This is particularly desirable since this procedure avoids congestion of our locker room facilities and furthermore, permits sufficient time for full recovery of our hot water supply.

A fifteen minute (part of the 8 hour day) wash period is provided at the end of the work day, to allow for a thorough shower for each of our employees. This is most important since our accident, because every precaution must be taken to avoid possible development of chloracne. The best known precautions include the use of protective creams (which we provide) and cleanliness (for which we provide time and facilities).

Fifteen minutes in the shower are well worth avoiding many months of medical treatment.

R. A. Guidi
R. A. Guidi

RAG: jp
3/17/60

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A T T E N T I O N

EMPLOYEES OF DIAMOND ALKALI COMPANY
80 LISTER AVENUE
NEWARK, N. J.

DISTRICT 50, UNITED MINE WORKERS OF AMERICA received a letter signed by several of your fellow workers. This stated many of your working conditions and job in-security.

Although it will make our letter to you long, we strongly feel each of you should read a copy of the letter we received, it is an exact copy, we have only withheld the signatures. "The following is an exact copy received by District 50, U. M. W. A."

Mr. J. Tavaglione,

Enclosed find a mailing list of employees of the Newark Plant of Diamond Alkali Chemical Co. All marked "okay" are possible men who will go in favor of a union.

At lease 60% of these men are now doctoring for a skin rash and chemical disease known as chloro acne, which attacks the liver and gives lumps to the skin filled with pus. It wears down the system. Yet a lot of these men have bought homes, and are forced to take the gaff. In 2, 4, D department, there are no vents for fresh air. The smell of alcohol will knock you down (so what) say the plant personel. In 2, 4, 5, T the chemical that turns the skin black in time, no protection either (so what). And on Saturday when some of the boys can get some overtime, they let them stay home and bring in Man Power men at \$1.15 an hour (so what). What happened to all the men who got the rash and liver disease? They just let them go (so what) sue me.

Sir these are the points I want you, as a union man, to write each employer. We have a three man committee who takes in our beefs (so what). We have a working agreement, not a contract, with the company. It isn't worth the papers it's printed on.

We manufacture weed and brush killers. This is made up of a base called (D.C.P.) Di Chloro Phenol, it is this product that causes chloro acne. It has been proven by German chemical plants that this disease can be prevented, but not cured. Last year the plant records show that over \$18,000 was spent on doctors for the men with the rash but very little was spent to improve working conditions.

An example is Mike Kalena of 68 Joseph St., Newark, N. J. Mike doesn't know it yet, but the company is about to discharge him. His face is black, his body covered with sores. Mike worked in 2, 4, 5, T for about 9 years, now Dr. Blieburg of 22 Ball Ave., Irvington,; a skin doctor, advised the company to let him out in the yard where he can get fresh air and sunshine. (What a joke.) Stop in and see Mike, he gets home about 4 o'clock. You have to see some of those men to believe it. Dr. Blieburg, the phony, is stupid himself. He treats.

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every man different. Some he gives shots to, others he burns the skin with the electric needle; others he gives pills; he is just making a fast buck. What we suggest is a mimeographed copies of this letter with the ighlights and a union card for each man to sign, stressing that all this is kept in the strictest of confidence.

You start t he ball rolling, we will work from within the plant.

Hoping your letters will be sent out soon.

Sincerely,

NANES WITHHELD FOR OBVIOUS REASONS

P.S. Another highlight, what happened to all the men who were discharged for having chloro acne?

EACH of you are aware of each of the points brought forward in this letter.

The time-tested way to correct these conditions is to organize as one.

District 50, U. M. W. A., represents the largest membership in the Chemical Industry; including several plants of Diamond Alkali Company. With the vast experience gained in negotiating thousands of contracts covering wages; hours of work and working conditions for employees of the Chemical Industry; we of District 50, U. M. W. A., know that we can correct many of the adverse conditions now existing at your plant.

However, the first step must be made by YOU.

SIGN THE ATTACHED CARD, this gives District 50, U.M.W.A. the right to petition the National Labor Relations Board to conduct an election at your plant so that you and all of your fellow workers will have a union of your choosing, and that union is DISTRICT 50, UNITED MINE WORKERS OF AMERICA!

SIGN THE ATTACHED CARD

PLACE IT IN THE ENVELOPE

DROP IT IN THE MAIL BOX

NO STAMP NEEDED

District 50, U. M. W. A.
Organizing Committee on
behalf of employees of
Diamond Alkali Company

4/30/62

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